
NEW YORK STATE

REGISTER

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**Notice of Availability of State and Federal Funds
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State agencies must specify in each notice which proposes a rule the last date on which they will accept public comment. Agencies must always accept public comment: for a minimum of 60 days following publication in the *Register* of a Notice of Proposed Rule Making, or a Notice of Emergency Adoption and Proposed Rule Making; and for 45 days after publication of a Notice of Revised Rule Making, or a Notice of Emergency Adoption and Revised Rule Making in the *Register*. When a public hearing is required by statute, the hearing cannot be held until 60 days after publication of the notice, and comments must be accepted for at least 5 days after the last required hearing. When the public comment period ends on a Saturday, Sunday or legal holiday, agencies must accept comment through the close of business on the next succeeding workday.

For notices published in this issue:

- the 60-day period expires on May 10, 2020
- the 45-day period expires on April 25, 2020
- the 30-day period expires on April 10, 2020

**ANDREW M. CUOMO
GOVERNOR**

**ROSSANA ROSADO
SECRETARY OF STATE**

NEW YORK STATE DEPARTMENT OF STATE

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NEW YORK STATE REGISTER

Be a part of the rule making process!

The public is encouraged to comment on any of the proposed rules appearing in this issue. Comments must be made in writing and must be submitted to the agency that is proposing the rule. Address your comments to the agency representative whose name and address are printed in the notice of rule making. No special form is required; a handwritten letter will do. Individuals who access the online *Register* (www.dos.ny.gov) may send public comment via electronic mail to those recipients who provide an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings.

To be considered, comments should reach the agency before expiration of the public comment period. The law provides for a minimum 60-day public comment period after publication in the *Register* of every Notice of Proposed Rule Making, and a 45-day public comment period for every Notice of Revised Rule Making. If a public hearing is required by statute, public comments are accepted for at least five days after the last such hearing. Agencies are also required to specify in each notice the last date on which they will accept public comment.

When a time frame calculation ends on a Saturday or Sunday, the agency accepts public comment through the following Monday; when calculation ends on a holiday, public comment will be accepted through the following workday. Agencies cannot take action to adopt until the day after expiration of the public comment period.

The Administrative Regulations Review Commission (ARRC) reviews newly proposed regulations to examine issues of compliance with legislative intent, impact on the economy, and impact on affected parties. In addition to sending comments or recommendations to the agency, please do not hesitate to transmit your views to ARRC:

Administrative Regulations Review Commission
State Capitol
Albany, NY 12247
Telephone: (518) 455-5091 or 455-2731

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KEY: (P) Proposal; (RP) Revised Proposal; (E) Emergency; (EP) Emergency and Proposal; (A) Adoption; (AA) Amended Adoption; (W) Withdrawal

Individuals may send public comment via electronic mail to those recipients who provided an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings. Choose pertinent issue of the *Register* and follow the procedures on the website (www.dos.ny.gov)

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RULE MAKING ACTIVITIES

Each rule making is identified by an I.D. No., which consists of 13 characters. For example, the I.D. No. AAM-01-96-00001-E indicates the following:

AAM -the abbreviation to identify the adopting agency
01 -the *State Register* issue number
96 -the year
00001 -the Department of State number, assigned upon receipt of notice.
E -Emergency Rule Making—permanent action not intended (This character could also be: A for Adoption; P for Proposed Rule Making; RP for Revised Rule Making; EP for a combined Emergency and Proposed Rule Making; EA for an Emergency Rule Making that is permanent and does not expire 90 days after filing.)

Italics contained in text denote new material. Brackets indicate material to be deleted.

Office of Alcoholism and Substance Abuse Services

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Credentialing of Addiction Professionals

I.D. No. ASA-10-20-00002-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: Repeal of Part 853; and addition of new Part 853 to Title 14 NYCRR. This rule is proposed pursuant to SAPA section 207(3), 5-Year Review of Existing Rules.

Statutory authority: Mental Hygiene Law, sections 19.07(a), (d), 19.20, 19.20-a, 32.01, 32.02; Executive Law, sections 495, 554; Military Law, sections 308-a, 308-b; Corrections Law, art. 23-A; L. 2012, ch. 501

Subject: Credentialing of addiction professionals.

Purpose: Outlines the regulatory requirements for persons seeking credentialing as an addiction professional.

Substance of proposed rule (Full text is posted at the following State website: oasas.ny.gov): The Proposed Rule repeals Part 853 and replaces with a new Part 853 relating to credentialing of addiction professionals. The proposed rule streamlines credentialing regulations to a more accessible page length by posting lists of required coursework on the agency website and consolidating repetitive provisions; clarifies the role of the Credentials Board; adds an option to hold a credential in inactive status for a period of years; clarifies the process of reviewing complaints and subsequent investigations; addresses issues regarding status of credentials during investigation, hearing and penalty processes; updates descriptions of misconduct and ethical violations; and discontinues the gambling coun-

selor credential in the context of staffing changes due to the increase in State Education Department licensed professionals completing the gambling treatment training approved by the Office and the NYS Council on Problem Gambling.

§ 853.1 Legal base. Sets forth the legal basis for the provisions of this Part.

§ 853.2 Applicability. Any person who initiates an application for a new credential or designation, or to renew or re-activate an existing or inactive credential or designation.

§ 853.3 Definitions. Definitions significant to this Part include “active application period,” “approved work setting,” “credentialed professional,” “dual relationship,” “addiction services,” “qualified prevention supervisor,” “renewal period,” “scope of practice” and “staff exclusion list.”

§ 853.4 Credentials Board. Scope and functions of the credentials board consistent with statutory role of advising commissioner on the process of credentialing.

§ 853.5 Minimum qualifications for all credentials. Includes age (18), NY state residency, minimum educational requirements, and criminal history review.

§ 853.6 Credentialing applications. Minimum application criteria for all types or stages (initial, renewal, extension, inactive) of credential applications regarding character evaluations, education and work experience, contact information, location of fees/fines, and circumstances under which an application may be denied.

§ 853.7 Additional qualifications to become a Credentialed Alcoholism and Substance Abuse Counselor (CASAC) or CASAC-Trainee. Core competencies, education, training and work experience, and examination.

§ 853.8 Additional qualifications to become a Credentialed Prevention Professional (CPP) or Credentialed Prevention Specialist (CPS). Performance domains, education, training and work experience, and examination.

§ 853.9 Additional qualifications to receive a Gambling designation. Requirements for a CASAC, CPP or CPS to acquire an additional “designation”; defines “qualified problem gambling professional”; status of previously credentialed problem gambling counselors (CPGC).

§ 853.10 Issuance and registration of credentials. Date of issue, expiration dates, registry maintained by the Office, and required criminal history information review.

§ 853.11 Credential renewal; inactive status. Requirements and process for renewal; status of expired credentials or inactive status; conditional renewals for active military service.

§ 853.12 Reciprocity. Applicable only to CASAC and CPS credentials; issuance and renewal of credential based on reciprocity.

§ 853.13 Misconduct. All credentialed professionals must abide by the Canon of Ethical Principles or Professional Code and Ethical Standards applicable to their professions as well as the Justice Center’s Code of Conduct for Custodians (when employed). Defines what constitutes misconduct subject to penalties or other remedial actions consistent with statute, scope of practice, and codes of conduct.

§ 853.14 Complaints and investigations. Process for Office receipt and review of complaints; subsequent investigations; relationship to Justice Center investigations; notice provisions.

§ 853.15 Penalties. Options available to the commissioner include administrative reprimand, suspension or revocation, and fines; criteria for consideration of penalty.

§ 853.16 Summary action and other remedial actions. Consistent with statutory authority the commissioner may take summary action to suspend any credential in the interest of public safety and may revoke credentials issued to persons who have been placed on the staff exclusion list. Other remedial actions include dismissal with guidance or annulment of erroneously issued credentials.

§ 853.17 Notifications; right to a hearing. Due process provisions.

§ 853.18 Application following revocation. Criteria to request permission to apply for a new credential after a credential has been revoked; request may not be submitted until five (5) years or more after the effective date of the revocation.

§ 853.19 Canons of Ethical Principles, Ethical Standards, and Code of Conduct. Canons of Ethical Principles applies to CASACS and prevention professionals; Ethical standards applies to Gambling credentials and designations; Code of Conduct is a Justice Center requirement for custodians in OASAS programs.

§ 853.20 Severability. Declares provisions of this Part to be severable

Text of proposed rule and any required statements and analyses may be obtained from: Trisha Schell-Guy, NYS OASAS, 1450 Western Avenue, Albany, NY 12203, (518) 485-2312, email: Trisha.Schell-Guy@oasas.ny.gov

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: 60 days after publication of this notice.

Reasoned Justification for Modification of the Rule

The proposed rule amends Part 853 to enable the Office to more thoroughly and efficiently monitor the quality and competency of its credentialed professionals and enable providers of services to persons seeking treatment for addiction disorders to secure appropriate and properly trained individuals to staff their facilities and programs.

The regulation is consolidated to a more accessible page length by posting lists of required coursework on the agency website and consolidating repetitive provisions; updated to clarify the role of the Credentials Board; adds an option to hold a credential in inactive status for a period of years; clarifies the process of reviewing complaints and subsequent investigations; addresses issues regarding status of credentials during an investigation, hearing and penalty process; updates descriptions of misconduct and ethical violations; discontinues the gambling counselor credential in the context of staffing changes due to the increase in State Education licensed professionals completing the gambling treatment training offered and approved by the Office and the NYS Council on Problem Gambling and outlines additional fee/fine requirements, including noting that fees can be found on the office website.

The proposal accomplishes updates prompted by implementation obstacles that have come to light regarding consistently tracking status of credentials issued, complaint review, investigation and penalties. The proposal also makes the regulation more “user friendly” by consolidating repetitive provisions, making it easier to update coursework requirements by posting them on the agency website, and incorporating the option of a gambling “designation” for the more numerous and popular credentials.

Regulatory Impact Statement

1. Statutory Authority:

(a) Section 19.07(a) of the Mental Hygiene Law charges the Office of Alcoholism and Substance Abuse Services (OASAS or “Office”) with assuring the development of comprehensive plans, programs and services for research, prevention, care, treatment, rehabilitation, education and training related to substance use disorder and compulsive gambling.

(b) Section 19.07(d) of the Mental Hygiene Law directs the Office to foster programs for the training and development of persons capable of providing substance use disorder and gambling addiction services; to establish minimum qualifications for credentialed professionals; to issue credentials to persons who meet such qualifications; and to suspend or revoke such credentials for good cause.

(c) Section 19.20 of the Mental Hygiene Law authorizes the Office to receive and review criminal history information from the Justice Center related to employees or volunteers of treatment facilities certified, licensed or operated by the Office.

(d) Section 19.20-a of the Mental Hygiene Law authorizes the Office to receive and review criminal history information from the Justice Center related to persons seeking to be credentialed by the Office or applicants for an operating certificate issued by the Office.

(e) Section 32.01 of the Mental Hygiene Law authorizes the Commissioner of the Office to adopt any regulation reasonably necessary to implement and effectively exercise the powers and perform the duties conferred by Article 32 of the Mental Hygiene Law.

(f) Section 32.02 of the Mental Hygiene Law authorizes the Commissioner of the Office to adopt regulations necessary to ensure quality services to those suffering from problem gambling disorder.

(g) Section 554 of the Executive Law (Chapter 501 of the Laws of 2012), requires custodians, as defined in Part 836 of this Title, in programs licensed, certified or operated by the Office, to adhere to the code of conduct for custodians developed by the Justice Center.

(h) The Protection of People with Special Needs Act (Chapter 501 of the Laws of 2012) establishes the Justice Center and requires criminal history information reviews be conducted for applicants for any credential issued by the Office pursuant to this Part.

(i) Section 495 of the Executive Law (Chapter 501 of the Laws of 2012) establishes the “Register of Substantiated Category One Cases of Abuse and Neglect” maintained by the Justice Center.

(j) Article 23-A of the Corrections Law is applicable to any application

for a credential by a person who has previously been convicted of one or more criminal offenses in New York or in any other jurisdiction.

(k) Sections 308-a and 308-b of the Military Law provide for the preservation and extension of professional licenses held by persons in active military service.

2. Legislative Objectives: Articles 19 and 32 of the Mental Hygiene Law authorize the promulgation of rules and regulations to regulate and assure the consistent quality of services provided within the state to persons suffering from chemical abuse or dependence, their families and significant others, as well as those who are at risk of becoming chemically dependent. The Office is also directed to foster programs for the training and development of persons capable of providing substance use disorder and gambling addiction services; to establish minimum qualifications for credentialed professionals; to issue credentials to persons who meet such qualifications; and to suspend or revoke such credentials for good cause. 14 NYCRR Part 853 establishes the process for credentialing treatment professionals and criteria for maintaining professional standards including compliance with codes of conduct.

3. Needs and Benefits: The proposed rule is intended to enable the Office to more thoroughly and efficiently monitor the quality and competency of its credentialed professionals and enable providers of services to persons seeking treatment for addiction disorders to secure appropriate and properly trained individuals to staff their facilities and programs. The regulation is consolidated to a more accessible page length by posting lists of required coursework on the agency website and consolidating repetitive provisions; updated to clarify the role of the Credentials Board; adds an option to hold a credential in inactive status for a period of years; clarifies the process of reviewing complaints and subsequent investigations; addresses issues regarding status of credentials during investigation, hearing and penalty processes; updates descriptions of misconduct and ethical violations; discontinues the gambling counselor credential in the context of staffing changes due to the increase in State Education Department licensed professionals completing the gambling treatment training approved by the Office and the NYS Council on Problem Gambling; advises that fines and fees assessed by the Office for credentials are posted on the Office website. The Behavioral Health Services Advisory Council recommended advancement of this rule on April 26, 2018.

The proposal accomplishes updates due to implementation obstacles that have come to light regarding consistently tracking status of credentials issued, complaint review, investigation and penalties. The proposal also makes the regulation more “user friendly” by consolidating repetitive provisions, making it easier to update coursework requirements by posting them on the agency website, and incorporating the option of a gambling designation for the more numerous credentials and consistent with the increase in State Education licensed professionals who have completed the gambling treatment training recognized by the Office and the Council for Problem Gambling.

4. Costs: No additional administrative costs to the agency are anticipated since review of applications for credentials is an existing function. No additional costs to programs/providers are anticipated since their obligations for supervision are not changed.

5. Paperwork: The proposed regulation will not require any additional paperwork and may reduce paperwork due to documentation accessible on the agency website.

6. Local Government Mandates: This regulation imposes no new mandates on local governments operating certified OASAS programs even if they employ OASAS credentialed professionals.

7. Duplications: This proposed rule does not duplicate any State or federal statute or rule.

8. Alternatives: Continue with outdated regulations that are not consistent with current standards. The new rule does not reduce standards but consolidates language into a more concise regulation and adds options for credentialed professionals to expand their expertise and/or stay involved in the profession.

9. Federal Standards: This regulation does not conflict with federal standards.

10. Compliance Schedule: This rulemaking will be effective upon publication of a Notice of Adoption in the State Register.

Regulatory Flexibility Analysis

OASAS has determined that the rule will not impose any adverse impact on rural areas or reporting, recordkeeping or other compliance requirements on public or private entities in rural areas. This proposed rulemaking does not affect businesses or local governments in any geographic area, including rural areas, since it streamlines and clarifies the application and administrative review process of obtaining a credential issued by the Office.

The proposed rule will be posted on the agency website. Agency review process involves input from trade organizations representing providers in diverse geographic locations, local governments, and other behavioral health providers. The Behavioral Health Services Advisory Council recommended advancement of this rule on April 26, 2018.

Rural Area Flexibility Analysis

OASAS has determined that the rule will not impose any adverse impact on small businesses or local governments. This proposed rulemaking does not affect businesses or local governments as it streamlines and clarifies the application and administrative review process of obtaining a credential issued by the Office.

The proposed rule will be posted on the agency website. Agency review process involves input from trade organizations representing providers in diverse geographic locations, local governments, and other behavioral health providers. The Behavioral Health Services Advisory Council recommended advancement of this rule on April 26, 2018.

Job Impact Statement

No change in the number of jobs and employment opportunities is anticipated as a result of the proposed new regulation because the amendments either clarify or streamline existing applicant and Office administrative actions. The Office will not need to hire additional staff or reduce staff size; the proposed changes will not adversely impact jobs outside of the agency; the proposed changes will not result in the loss of any jobs within New York State. The Behavioral Health Services Advisory Council recommended advancement of this rule on April 26, 2018.

Department of Economic Development

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Empire State Entertainment Diversity Job Training Development Program

I.D. No. EDV-10-20-00001-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: Addition of Part 171 to Title 5 NYCRR.

Statutory authority: L. 2019, ch. 39; State Finance Law, section 97-ff

Subject: Empire state entertainment diversity job training development program.

Purpose: To implement the administrative processes for the entertainment diversity job training development program.

Text of proposed rule: Part 171

Empire State Entertainment Diversity Job Training Development Fund

Section 171.1 Purpose and General Description

Chapter 39 of the Laws of 2019 created the empire state entertainment diversity job training development fund. Monies in the fund shall be expended for job creation and training programs approved by the commissioner of economic development that support efforts to recruit, hire, promote, retain, develop and train a diverse and inclusive workforce as production company employees in the motion picture and television industry within the state of New York including, but not limited to, those programs that promote development in economically distressed areas of the state.

Section 171.2 Definitions

For the purposes of this section, the terms below shall have the following meaning:

(a) "Diverse workers" shall include women and workers who can demonstrate membership in any one of the following groups:

- (1) Black persons having origins in any of the Black African racial groups;
- (2) Hispanic/Latino persons of Mexican, Puerto Rican, Dominican, Cuban, Central or South American of either Indian or Hispanic origin, regardless of race;
- (3) Native American or Alaskan native persons having origins in any of the original peoples of North America; or
- (4) Asian and Pacific Islander persons having origins in any of the Far East countries, South East Asia, the Indian subcontinent or the Pacific Islands.

(b) "Economically distressed areas of the State" shall mean locations within New York City that are characterized by a poverty rate greater than 20% or locations outside of New York City with a poverty rate greater than the statewide average poverty rate.

(c) "Eligible applicant" shall mean a not for profit organization or

corporation, guild or labor union who applies for funding under this program.

(d) "Eligible training program" means a training program designed to recruit, hire, promote, retain, develop and train a diverse and inclusive workforce as production company employees in the motion picture and television industry within the state of New York including, but not limited to, programs that promote development in economically distressed areas of the state.

(e) "Commissioner" shall mean the Commissioner of the Department of Economic Development.

(f) "Department" shall mean the New York State Department of Economic Development.

(g) "Evaluation Criteria" shall mean the criteria set forth in section 171.8 herein.

(h) "Match," "Matching Share," or "Matching Funds" shall mean that portion of the total cost of a program that the grantee must provide, pursuant to paragraph (a) of section 171.4 herein.

(i) "Scoring Committee" shall mean a group of ESD employees and members of the motion picture and television industry who score applications pursuant to the criteria set forth in section 171.8 of this Part.

Section 171.3 Available Assistance

(a) The Fund makes available financial assistance in the form of grants for job creation and training programs approved by the commissioner of economic development that support efforts to recruit, hire, promote, retain, develop and train a diverse and inclusive workforce as production company employees in the motion picture and television Production and Post-Production industries within the state of New York including, but not limited to, those programs that promote development in economically distressed areas of the state.

(b) The grant assistance provided in connection with this Part shall be taken from the empire state entertainment diversity job training development fund pursuant to section 24(e) and 31(f) of the tax law.

Section 171.4 Eligibility/Matching Funds

(a) Eligible applicants may apply for matching funds if they are operating an Eligible Training Program. To qualify for a matching grant, the Department requires a 2:1 matching requirement of dollars coming from an eligible applicant to support its program for training diverse workers or those located in economically distressed areas of the State. Funds eligible for matching are those contributed by the eligible applicant to be used only for the eligible program. Funds deriving from state or federal grants are not eligible to be calculated for the 2:1 matching requirement.

(b) All Matching Funds must be expended during the grant term and where practicable on a pro rata basis with grant funding.

(c) All items identified as Matching Funds will be reviewed by the Department, which will approve such Matching Funds as the Department may determine, in its sole discretion, to be reasonable as to amount and relation to the program.

(d) Grant funds will be disbursed on a quarterly reimbursement basis. Grantees shall submit invoices quarterly with supporting documentation satisfactory to the Department, as work is performed and costs incurred.

(e) Grants are intended to reimburse eligible applicants for training provided directly by such applicants to its workforce, or future workforce, and shall not be contracted out to a third party for the purpose of obtaining these grant funds.

(f) Grant funds and matching funds may not be utilized to cover qualified costs pursuant to section 24 or 31 of the tax law.

Section 171.5 Utilization of Grant Funds

(a) Grant funds may be used by an eligible applicant for the following purposes:

- (1) Instructor salaries and equipment;
- (2) Training and certification programs designed to promote diverse workers and and/or those workers located in economically distressed areas of the state including, but not limited to:
 - i. grip related training programs;
 - ii. carpentry related training programs;
 - iii. electrical related training programs;
 - iv. editor related training programs;
 - v. production assistant related training programs;
 - vi. showrunner related training programs;
 - vii. writer related training programs; and
 - viii. other training programs as directed by the Commissioner

(b) Grant funds may not be used by an applicant for the following purposes:

- (1) training programs for corporate (studio or production company) employees; and
- (2) producer related training programs

(c) The minimum grant amount for any Eligible Training Program is \$25,000. The maximum grant amount for any Eligible Training Program is \$500,000.

Section 171.6 Application Process

(a) Applications from eligible applicants will be accepted on a monthly basis, with a submission deadline of the 20th of the month (except if the deadline falls on a weekend, it shall be extended to the next business day). Eligible applicants requesting assistance shall provide information about the program and the applicant, as applicable, in a form provided by the Department including, without limitation, the following:

- (1) a description of the program, including information indicating how the proposed program will create jobs creation and training programs that support efforts to recruit, hire, promote, retain, develop and train a diverse and inclusive workforce as production company employees in the motion picture and television industry within the state of New York;
- (2) the number and amount of other funding, including federal, that the applicant has applied for, is eligible for or has received for the same initiative;
- (3) the number of individuals being trained as a result of the proposed project or activity;
- (4) applicant's history; ownership structure; size; and services rendered;
- (5) information about the proposed program including, but not limited to, total project cost, total program assistance requested, a budget breakdown of the sources and proposed uses of all funding, a description of the need for the requested program funding and justification for the amount requested;
- (6) a description of how the program will be implemented, including the readiness of the project with a specific timeline, outlining the milestones from the project start to its completion;
- (7) the region or regions that will be impacted by this project. Identify all of the regional partners that you will be working with to deliver on this project;
- (8) the project partners, including the project leader and others involved in the implementation of or supporting the employment of individuals completing the project. Please be specific about the role of each partner and whether participation is assured; and
- (9) anticipated program results.

(b) Upon receipt of the application, the Department shall review the application for eligibility, completeness, and conformance with the applicable requirements of these guidelines. Questions regarding this process may be submitted to the Department via email at nyfilm@esd.ny.gov.

(c) The Department may issue a request for proposals for contracts for services in lieu of an application where it deems it appropriate. Such request for proposals will set forth eligibility guidelines which may differ from those contained herein.

Section 171.7 Evaluation of Grant Applications

Grant applications shall be initially evaluated by a Scoring Committee. The Scoring Committee shall then forward their recommendation to the Commissioner for his/her approval.

Section 171.8 Evaluation Criteria

(a) The Scoring Committee shall evaluate applications in accordance with the following criteria:

The ability of the program to:

- (1) address a demonstrated need across the film and television production and post-production industries, specifically is there currently or is there an anticipated in the future need for additional workforce in this job function in these industries;
- (2) create a pathway to jobs and connections with employment and/or union partnerships;
- (3) further diversify the employment in the industry from a socio-economic, regional, and diversity perspective;
- (4) target residents in economically distressed areas of the State;
- (5) be completed in a timely fashion.

Section 171.9 Selection Criteria/Scoring

(a) Applications will be evaluated on the criteria detailed in paragraph a of section 171.8 of these regulations on a scale of one to five, where:

- "1" = does not meet qualification expectation
- "2" = meets some but not all qualification expectations; and
- "3" = meets qualification expectations; and
- "4" = exceeds qualification expectations; and
- "5" = highly exceeds qualification expectations.

(b) Selection criteria will be weighted as follows:

Criteria Category	Weight
1. Demonstrated need in the industry for additional hires in this program area	20%
2. Pathway to job placement and relationship with employers	20%
3. Targeting of Diverse Workers and/or workers from Economically distressed areas of the State	20%
4. Overall budget, project's return on investment for program participants and funding dollars	20%

- 5. Feasibility of implementation and timeline of project 10%
- 6. Uniqueness & competitiveness of proposed program 10%

(c) The Department intends to make grant awards through a competitive grant solicitation to qualifying Applicants, until all grant funds are fully committed. The Department reserves the right to update/amend the above selection criteria as needed.

Section 171.10 Reporting requirements

(a) Participants shall submit quarterly reports during the pendency of the training program satisfactory to the Department on the operation and accomplishments of the program including, without limitation, a description of the program undertaken, the number of participants in the training program, the number of hours both in classroom and on the job training and the number of trainees who went on to jobs in the motion picture and television industry.

(b) After completing their training program, participants must submit biannual reports to the Department for a period of five years thereafter detailing the placement and job status of training graduates from their program.

Text of proposed rule and any required statements and analyses may be obtained from: Thomas Regan, Department of Economic Development, 625 Broadway, Albany NY 12245, (518) 292-5120, email: thomas.regan@esd.ny.gov

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

STATUTORY AUTHORITY:

Paragraph (3) of section 97-ff of the State Finance Law authorizes the Commissioner of Economic Development to promulgate regulations to implement the empire state entertainment diversity job training development fund regulations.

LEGISLATIVE OBJECTIVES:

The rulemaking accords with the public policy objectives the Legislature sought to advance in creating a grant program for job creation and training programs that support efforts to recruit, hire and train a diverse and inclusive workforce in the motion picture industry in New York State. The Program, through financial incentive, encourages the creation of training programs designed to develop a diverse workforce in the motion picture industry including programs that promote the development in economically distressed areas of the state. The grant assistance provided under this program shall be taken from the empire state entertainment diversity job training development fund pursuant to section 24(e) and 31(f) of the tax law.

NEEDS AND BENEFITS:

This rule making creates the administrative process for the regulations for the empire state entertainment diversity job training development program, which is a key economic development tools for ensuring business diversity in the motion picture workforce in New York State. The regulation sets forth the key definitions for the program, including, but not limited to, the definitions of "diverse workers", "eligible applicant" "economically distressed areas of the State" and "evaluation criteria." It also describes the matching funds process which requires a 2:1 match of dollars from an eligible applicant to support its program for training diverse workers or those located in economically distressed areas of the State.

Next, the regulation makes clear that funds may be used by an eligible applicant to cover various expenses including, but not limited to, instructor salaries and equipment and training and certification programs designed to promote the purposes of this fund. Grant funds may not be utilized for costs associated with back office operations and producer related training programs. The regulation then goes into detail on the application process, including what information an applicant must provide the Department to be eligible for the grant. It concludes by addressing two key components of the program – 1) the scoring of grant applications, including the evaluation criteria to be utilized and the weight applied to each scoring criteria; and 2) the reporting section which outlines what reports applicants are required to provide the Department.

COSTS:

A. Costs to private regulated parties: None. There are no regulated parties in the empire state entertainment diversity job training development grant program, only voluntary participants.

B. Costs to the agency, the State, and local governments: The Department of Economic Development does not anticipate any significant costs with respect to implementation of this program. There is no additional cost to local governments.

C. Costs to the State government: The grant assistance provided under this program will be taken from the empire state entertainment diversity job training development fund which is funded by a remission of 0.025% of an applicant's film tax credit going into the fund.

LOCAL GOVERNMENT MANDATES:

None. There are no mandates on local governments with respect to the Program. This rule does not impose any costs to local governments for administration of the Program.

PAPERWORK:

The rule does not impose significant additional paperwork burdens on businesses choosing to participate in the Program but instead simply requires that information currently established and maintained be shared with the Department in order to verify that the business has met its job creation and investment commitments.

DUPLICATION:

The rule does not duplicate any state or federal statutes or regulations.

ALTERNATIVES:

No alternatives were considered with regard to amending the regulations in response to statutory revisions.

FEDERAL STANDARDS:

There are no federal standards in regard to this program. Therefore, the rule does not exceed any federal standard.

COMPLIANCE SCHEDULE:

The period of time the state needs to assure compliance is negligible, and the Department of Economic Development expects to be compliant upon publication of the Notice of Adoption.

Regulatory Flexibility Analysis

The empire state entertainment diversity job training development program is a statewide grant program. Although there are small businesses in New York State that are eligible to participate in the program, participation by the businesses is entirely at their discretion. The proposed rule will not have a substantial adverse economic impact on small businesses and local governments. On the contrary, because the rule creates a grant program designed to attract business and jobs to New York State, it will have a positive economic impact on the State. Accordingly, a regulatory flexibility analysis for small business and local governments is not required and one has not been prepared.

Rural Area Flexibility Analysis

The empire state entertainment diversity job training development program is a statewide business grant program. Strategic businesses in rural areas of New York State are eligible to apply to participate in the program entirely at their discretion. Municipalities are not eligible to participate in the Program. The rule does not impose any special reporting, recordkeeping or other compliance requirements on private entities in rural areas. Therefore, the rule will not have a substantial adverse economic impact on rural areas nor on the reporting, recordkeeping or other compliance requirements on public or private entities in such rural areas. Accordingly, a rural area flexibility analysis is not required and one has not been prepared.

Job Impact Statement

The proposed rule relates to the empire state entertainment diversity job training development fund. The program itself is a job creation incentive and will not have a substantial adverse impact on jobs and employment opportunities. Because it is evident from its nature that this rule will have either no impact or a positive impact on job and employment opportunities, no further affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

Action taken: Amendment of Part 200; and addition of new Part 222 to Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 1-0101, 3-0301, 19-0103, 19-0105, 19-0301, 19-0303, 19-0305, 19-0311, 71-2103 and 71-2105

Subject: Distributed generation sources located in New York City, Long Island and Westchester and Rockland counties.

Purpose: Establish emission control requirements for sources used in demand response programs or as price-responsive generation sources.

Text of final rule: Section 200.9, Table 1, is amended to read as follows:

	[California Code of Regulations, Title 13, Section 2700 (10-1-2013)]	***
	California Code of Regulations, Title 13, Section 2701 (10-1-2013)	***
	California Code of Regulations, Title 13, Section 2702 (10-1-2013)	***
	California Code of Regulations, Title 13, Section 2703 (10-1-2013)	***
	California Code of Regulations, Title 13, Section 2704 (10-1-2013)	***
	California Code of Regulations, Title 13, Section 2705 (10-1-2013)	***
	California Code of Regulations, Title 13, Section 2706 (10-1-2013)	***
[222.6]	California Code of Regulations, Title 13, Section 2707 (10-1-2013)	***
222.5	California Code of Regulations, Title 13, Section 2708 (10-1-2013)	***
	California Code of Regulations, Title 13, Section 2709 (10-1-2013)	***
	California Code of Regulations, Title 13, Section 2710 (10-1-2013)	***
	California Code of Regulations, Title 13, Section 2711 (10-1-2013)	***]
	40 CFR 60, Appendix A (Updated July 1, 2013) Method 7E, pages 289-305	*
	[40 CFR 60, Appendix A (Updated July 1, 2013) Method 5, pages 169-195	*)]

Existing 6 NYCRR Part 222 is repealed. A new Part 222 is added to read as follows:

Part 222, Distributed Generation Sources

Section 222.1 Applicability.

This Part applies to owners and operators of distributed generation sources classified as economic dispatch sources located in the New York City metropolitan area with a maximum mechanical output rating of 200 horsepower or greater where the potential to emit oxides of nitrogen (NOx) at a facility is less than 25 tons per year.

Section 222.2 Definitions.

(a) The definitions of Part 200 and Subpart 201-2 of this Title apply to this Part unless they are inconsistent with the definitions in subdivision (b) of this Section.

(b) The following definitions also apply to this Part:

(1) 'Compression ignition'. A type of stationary internal combustion engine that is not a spark ignition engine.

(2) 'Demand response program'. The Emergency Demand Response Program or Special Case Resources demand response programs sponsored by the New York Independent System Operator or similarly designed programs sponsored by distribution utilities and approved by the Public Service Commission.

(3) 'Demand response source'. A distributed generation source enrolled in a demand response program.

(4) 'Demand response event'. Activation of a demand response program by the New York Independent System Operator or a distribution utility.

(5) 'Distribution utility'. A retail distributor of electricity.

(6) 'Distributed generation source'. A stationary reciprocating or rotary internal combustion engine that feeds into the distribution grid or produces electricity for use at the host facility or both. This includes, but is not limited to, emergency power generating stationary internal combustion engines and demand response sources.

(7) 'Economic dispatch source'. A distributed generation source intended to provide electricity for general use to a building, structure, or

Department of Environmental Conservation

NOTICE OF ADOPTION

Distributed Generation Sources Located in New York City, Long Island and Westchester and Rockland Counties

I.D. No. ENV-36-19-00014-A

Filing No. 147

Filing Date: 2020-02-24

Effective Date: 30 days after filing

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

collection of structures in place of electricity supplied by the distribution utilities. Demand response and price-responsive generation sources are considered economic dispatch sources. Economic dispatch sources do not include emergency generators or distributed generation sources that provide electricity to power equipment or structures not served by distribution utilities.

(8) 'Lean burn engine'. A natural gas-fired spark ignition engine that is not a rich burn engine.

(9) 'Maximum load relief'. Maximum power (kilowatts) pledged by a demand response source during demand response events or the maximum load the source operates at as a price-responsive generation source.

(10) 'Model year'. Means either:

(i) The calendar year in which the engine was originally produced, or

(ii) The annual new model production period of the engine manufacturer if it is different than the calendar year. This must include January 1 of the calendar year for which the model year is named. It may not begin before January 2 of the previous calendar year and it must end by December 31 of the named calendar year.

(11) 'Price-responsive generation source'. A distributed generation source used to provide electricity for short periods of time when the cost of electricity supplied by the distribution utility is high.

(12) 'Rich burn engine'. Any four-stroke spark ignited engine where the manufacturer's recommended operating air-to-fuel ratio divided by the stoichiometric air-to-fuel ratio at full load conditions is less than or equal to 1:1.

(13) 'Spark ignition'. A natural gas fueled engine or any other type of engine with a spark plug (or other sparking device) and with operating characteristics similar to the theoretical Otto combustion cycle. Dual-fuel engines in which a liquid fuel (typically diesel fuel) is used for compression ignition and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

(14) 'Three-way catalyst emission controls'. A control technology (also known as non-selective catalytic reduction) that reduces NO_x, volatile organic compounds and carbon monoxide emissions from rich burn engines.

Section 222.3 Notification of Applicability

(a) An owner or operator of a distributed generation source must obtain a registration certificate or permit issued in accordance with Part 201 of this Title prior to operation as an economic dispatch source.

(b) An owner or operator of a distributed generation source that will operate as an economic dispatch source and is subject to a registration or permit issued by the Department prior to the effective date of this Part, must notify the Department in writing by March 15, 2021 or 30 days prior to operating the source as an economic dispatch source, whichever is later.

Section 222.4 Control requirements.

(a) Effective May 1, 2021, owners or operators of economic dispatch sources subject to this Part must comply with the following requirements:

(1) combustion turbines firing natural gas: must be of model year 2000 or newer or must have a NO_x emission rate less than or equal to 2.96 pounds per megawatt-hour as certified in writing by a professional engineer;

(2) combustion turbines firing oil: must be of model year 2000 or newer or must have a NO_x emission rate less than or equal to 2.96 pounds per megawatt-hour as certified in writing by a professional engineer;

(3) compression-ignition engines: must be of model year 2000 or newer or must have a NO_x emission rate less than or equal to 2.96 pounds per megawatt-hour as certified in writing by a professional engineer;

(4) lean-burn engines: must be of model year 2000 or newer or must have a NO_x emission rate less than or equal to 2.96 pounds per megawatt-hour as certified in writing by a professional engineer; or

(5) rich-burn engines: must be equipped with three-way catalyst emission controls.

(b) Effective May 1, 2025, owners or operators of economic dispatch sources subject to this Part must comply with the following NO_x emission limits:

(1) combustion turbines firing natural gas: 25 parts per million on a dry volume basis corrected to 15 percent oxygen;

(2) combustion turbines firing oil: 42 parts per million on a dry volume basis corrected to 15 percent oxygen;

(3) spark ignition engines firing natural gas: 1.0 grams per brake horsepower-hour;

(4) compression-ignition engines firing distillate oil (solely or in combination with other fuels) with nameplate ratings less than 750 horsepower: 0.30 grams per brake horsepower-hour; or

(5) compression-ignition engines firing distillate oil (solely or in combination with other fuels) with nameplate ratings greater than or equal to 750 horsepower: 0.50 grams per brake horsepower-hour.

(c) An extension to the subdivision 222.4(b) compliance date of no more than two years may be granted to sources meeting the requirements of subdivision 222.4(a) if owners or operators demonstrate a need for additional time to install controls or install new engines or turbines. Facility owners or operators must provide evidence, such as a contract, to the department's satisfaction to demonstrate that they intend to meet the emission limits set forth in subdivision 222.4(b) as expeditiously as possible, but not later than April 30, 2027.

Section 222.5 Emissions testing.

(a) Emissions test reports demonstrating compliance with subdivision 222.4(b) must be submitted to and approved by the Department before an economic dispatch may operate on or after May 1, 2025.

(b) Emission test requirements.

(1) The owner or operator of an economic dispatch source must notify the Regional Air Pollution Control Engineer in writing at least 15 calendar days prior to the scheduled date of an emissions test. Written test protocols are required only if the test method listed in paragraph 222.5(b)(2) will not be used during the emissions testing. In such case, the emissions test may not commence until 15 calendar days following the Department's approval of the protocols.

(2) Emission test method. Method 7E pursuant to 40 CFR 60, Appendix A (see Table 1, Section 200.9 of this Title).

(3) Additional protocols.

(i) Each emissions test must be conducted at the maximum load relief of the economic dispatch source.

(ii) The span of the monitoring system must be selected such that the pollutant gas concentration equivalent to the emission limit is not less than 30 percent of the span.

(4) Emission test reports. The owner or operator of an economic dispatch source subject to this section must submit an electronic copy of the emission test report to the Department within 60 calendar days after the completion of the tests. In addition, the data collected during the test must be available to the Department in an electronic format acceptable to the Department.

Section 222.6 Recordkeeping.

(a) The Department may enter a facility during normal operating hours to inspect an economic dispatch source subject to the requirements of this Part, and any records, papers, log books, and operational data maintained pursuant to this Part. Upon request, all records, papers, log books and operational data maintained pursuant to this Part must be made available to the Department.

(b) Emission test results must be maintained at a facility for five years from the date of the emission test.

(c) The following operational data must be recorded for each economic dispatch source subject to this Part in a format acceptable to the Department. The following data must be recorded monthly and maintained at the facility for five years from the date the data were recorded:

(1) hours of operation;

(2) type and quantity of fuel(s) used or purchased; and

(3) electricity generated by economic dispatch source in kilowatt-hours.

Section 222.7 Severability.

Each provision of this Part shall be deemed severable. If any provision of this Part is held to be invalid, the remainder of this Part shall continue in full force and effect.

Final rule as compared with last published rule: Nonsubstantive changes were made in sections 222.1, 222.2(b)(12), (14), 222.3(b), 222.4(a) and (c).

Text of rule and any required statements and analyses may be obtained from: John Barnes, P.E., NYSDEC, Division of Air Resources, 625 Broadway, Albany, NY 12233-3251, (518) 402-8396, email: air.regs@dec.ny.gov

Additional matter required by statute: Pursuant to Article 8 of the State Environmental Quality Review Act, a Short Environmental Assessment Form, a Negative Declaration and a Coastal Assessment Form have been prepared and are on file.

Summary of Revised Regulatory Impact Statement

INTRODUCTION

The Department of Environmental Conservation (Department or DEC) adopted 6 NYCRR Part 222, "Distributed Generation Sources," on November 1, 2016. On March 1, 2017, an Article 78 Petition was filed challenging various aspects of Part 222. On July 26, 2017, a Stipulation and Order was issued whereby the Department agreed to propose a new rule pursuant to the State Administrative Procedure Act to replace the adopted rule. The purpose of this rule making is to promulgate a new Part 222 along with the attendant changes to Part 200, "General Provisions."

Distributed generation (DG) sources are engines used by host sites to supply electricity outside that supplied by distribution utilities. This on-site generation of electricity by DG sources is used by a wide-range of

commercial, institutional and industrial facilities either in non-emergency situations when electricity costs are high (price-responsive generation) or to reduce demand on the electric grid (demand response), or in emergency situations when the usual supply of power from central station power plants becomes unavailable.

SUMMARY OF RULE

The proposed rule will apply to economic dispatch sources with output ratings of 200 horsepower (hp) or greater in the New York City metropolitan area (NYMA). Economic dispatch sources will be required to meet control requirements beginning May 1, 2021. The proposed rule also sets forth certain monitoring requirements, maintenance and record keeping requirements for economic dispatch sources.

The Department is planning to incorporate Part 222 and the attendant revisions to Part 200 into New York's State Implementation Plan (SIP) and provide the revised SIP to the United States Environmental Protection Agency (EPA) for review and approval.

STATUTORY AUTHORITY

The statutory authority for the promulgation of Part 222 and the attendant revisions to Part 200 is found in the New York State Environmental Conservation Law (ECL), Sections 1-0101, 3-0301, 19-0103, 19-0105, 19-0301, 19-0303, 19-0305, 19-0311, 71-2103 and 71-2105.

LEGISLATIVE OBJECTIVES

Article 19 of the ECL was enacted to safeguard the air resources of New York from pollution and ensure the protection of the public health and welfare, the natural resources of the State, physical property, and integrating industrial development with sound environmental practices. The policy of the State is to require the use of all available, practical and reasonable methods to prevent and control air pollution in New York.

NEEDS AND BENEFITS

There are currently two eight-hour ozone National Ambient Air Quality Standards (NAAQS) established by the EPA. An ozone NAAQS of 0.075 parts per million (ppm) was established in March 2008. Subsequently, the EPA reduced the 8-hour ozone NAAQS to 0.070 ppm on October 1, 2015. Ozone NAAQS attainment status is demonstrated by measurements recorded from a monitoring network set up across the United States. The ozone NAAQS is in the form of an eight-hour concentration average. The ozone design value is calculated as the 4th highest daily maximum 8-hour ozone concentration averaged over three years.¹ The current design value monitor for the New York/New Jersey/Connecticut nonattainment area is located in Westport, Connecticut. The 2018 design value for that monitor is 0.082 ppm.²

Emergency generators are operated when the usual source of electricity is unavailable or for facility-related emergencies. Pursuant to Section 200.1(cq), emergency generators are allowed to operate for up to 500 hours per year.³ The New York City building code requires buildings greater than 75 feet high be equipped with emergency generators.⁴ There are approximately 10,960 buildings in New York City greater than 75 feet in height.⁵ Assuming a typical emergency generator is 1000 kW,⁶ the capacity of emergency generation sources in New York City is estimated at 10,960 MW.

In the new Part 222, economic dispatch sources are defined as DG sources enrolled in demand response (DR) programs sponsored by the New York Independent System Operator (NYISO) or transmission utilities as well as price-responsive generation sources located in the NYMA. These source categories encompass DG sources previously classified as emergency generators for economic purposes.

Since 2001, the NYISO and distribution utilities⁷ in New York have called upon owners of uncontrolled, primarily diesel-fired engines to generate electricity for host facilities on high demand days in order to reduce demand on the electric grid, thus preserving the reliability of the grid. Sources enrolled in these programs, referred to as 'demand response programs,' are generally called upon to operate on hot summer days when ozone levels are typically high. The use of uncontrolled DG sources in demand response programs has correspondingly led to increased emissions from sources previously used exclusively in emergency situations.

Price-responsive generation sources are defined in Part 222 as distributed generation sources used to provide electricity when the cost of electricity supplied by the distribution utility is high. This category of economic dispatch sources was added to Part 222 to counter potential increases in oxides of nitrogen (NOx) emissions resulting from the use of engines previously classified as emergency generators for short periods of time when the cost of electricity supplied by the transmission utility is high.

On July 2, 2018, the maximum 8-hour average ozone value observed in the NY/NJ/CT ozone nonattainment area was 0.115 ppm at a monitor in Rockland County, New York. An 8-hour ozone value of 0.115 ppm is considered very unhealthy for sensitive groups. This marked the first time since June 14, 2008 that a monitored 8-hour ozone value was 0.100 ppm or greater. In that event, the White Plains monitor, located in Westchester County, New York, had a value of 0.101 ppm. Ozone concentrations

greater than 0.070 ppm were observed on July 2nd at thirteen monitors in New York. Ozone concentrations greater than 0.070 ppm were also observed that day at six monitors in Connecticut and eight monitors in New Jersey.

The dominant weather feature in the eastern United States on July 2, 2018 was a high pressure system situated along the coast. A weak cold front stalled near the Ohio Valley. A surface trough formed to the east of the front along a line from central New York through the Appalachian Valley. Winds in the nonattainment area were light and variable, and at times, calm. Generally, the air mass moved from south to north.⁸

Demand response resources were called upon on July 2, 2018 by the NYISO, Consolidated Edison and Orange & Rockland Utilities, Inc. The NYISO called a five-hour event from 1:00 pm to 6:00 pm that day.⁹ Con Edison and Orange & Rockland called four-hour events that afternoon. The NOx emissions during the four-hour events called by Con Edison and Orange & Rockland on July 2, 2018 are estimated to be 2.15 and 0.08 tons, respectively. The estimated NOx emissions during the NYISO event was 2.92 tons.

Part 222 will also apply to price-responsive generation sources in the NYMA. The potential NOx emissions that could result if all of these sources operate at the same time is as much as 38.4 tons per hour.

Effective May 1, 2021, combustion turbines, compression ignition engines and lean-burn natural gas-fired engines must be of model year 2000 or newer or must have a NOx emission rate less than or equal to 2.96 pounds per megawatt-hour as certified in writing by a professional engineer. Also, effective May 1, 2021, rich-burn natural gas-fired engines must be equipped with three-way catalyst emission controls.

These provisions are expected to result in a NOx emission reduction of more than 3.5 tons for a typical 6-hour demand response event. NOx emission reductions during DR events will come from sources currently enrolled in the NYISO programs. Potential NOx emissions from price-responsive generation sources will be reduced to 11.87 tons per hour effective May 1, 2021.

The following NOx emission limits will apply to DR sources effective May 1, 2025:

- (1) combustion turbines firing natural gas: 25 parts per million on a dry basis corrected to 15 percent oxygen;
- (2) combined cycle turbines firing oil: 42 parts per million on a dry basis corrected to 15 percent oxygen;
- (3) spark ignition engines firing natural gas: 1.0 grams per brake horsepower-hour;
- (4) compression-ignition engines firing distillate oil (solely or in combination with other fuels) with nameplate ratings less than 750 hp: 0.30 grams per brake horsepower-hour; or
- (5) compression-ignition engines firing distillate oil (solely or in combination with other fuels) with nameplate ratings greater than or equal to 750 hp: 0.50 grams per brake horsepower-hour.

Emissions test reports demonstrating compliance with subdivision 222.4(b) of Part 222 must be submitted to and approved by the Department before a distributed generation source may be operated as an economic dispatch source on or after May 1, 2025. The purpose of the emissions testing requirements in Part 222 is to ensure that sources subject to the rule meet the emission standards set forth in the rule.

Beginning May 1, 2025, the potential NOx emissions from price-responsive generation sources will be approximately 2.56 tons/hour.¹⁰ Further, the estimated NOx emissions from DR sources would be less than 0.5 tons per event (based on current enrollment in DR programs).

COSTS

The primary cost for complying with Part 222 will be lost income for sources that will drop out of demand response programs. For sources that decide to comply with the emission standards set forth in the rule, the installed capital costs range from approximately \$40/hp for rich-burn engines to \$160/hp for other types of sources.

PAPERWORK

The record keeping requirements set forth in new Part 222 are not expected to be burdensome since the data that must be recorded each month should already be recorded as a standard business practice.

LOCAL GOVERNMENT MANDATES

There are no specific mandates for local governments. Local governments that operate sources subject to this rule must meet the same requirements as any other source owner.

DUPLICATION BETWEEN THIS RULE AND OTHER REGULATIONS AND LAWS

EPA promulgated New Source Performance Standards (NSPS) rules for new engines and turbines in 2006 and 2008. The stricter of the NSPS or new Part 222 standards will apply in cases where sources are subject to both regulations.

ALTERNATIVES

Three alternatives to the proposed rule were evaluated. Under the No Action alternative, a new Part 222 would not be adopted. In addition, two

alternatives for expanding the existing NOx RACT Rule (Subpart 227-2) were considered. One alternative was limited to DG sources statewide. The second alternative would apply the NOx RACT Rule to all non-emergency engines at minor sources statewide. This alternative was not selected because the Department estimated that 84 percent of the sources enrolled in demand response programs would likely drop out of the programs.

FEDERAL STANDARDS

There are three NSPS rules adopted by EPA that establish NOx emission limits for new sources:

1. 40 CFR 60, Subpart IIII (Compression-Ignition Engines)
2. 40 CFR 60, Subpart JJJJ (Spark-Ignition Engines)
3. 40 CFR 60, Subpart KKKK (Turbines)

The emission standards set forth under these rules are discussed in the Regulatory Impact Statement for this rulemaking.

COMPLIANCE SCHEDULE

An owner or operator of a DG source that will operate as an economic dispatch source must notify the Department in writing by March 15, 2021 or 30 days prior to operating the source as an economic dispatch source, whichever is later.

The first set of control requirements take effect on May 1, 2021. The second set of control requirements (NOx emission limits) take effect on May 1, 2025.

¹ Code of Federal Regulations, Part 50 Appendix I.

² <https://www.epa.gov/air-trends/air-quality-design-values>.

³ Facilities may accept a more restrictive operational limit in order to avoid triggering certain regulatory thresholds such as new source review (Part 231).

⁴ Section 2702 of the New York City Electrical Code.

⁵ www.emporis.com/city/101028/new-york-city-usa/status/existing/548.

⁶ The average nameplate for DR sources in New York City is 1102 kW based on the data submitted under Section 222.3(a) of the adopted rule.

⁷ In addition to the NYISO, demand response programs are currently sponsored by the Consolidated Edison Company of New York (Con Edison) and Orange & Rockland Utilities.

⁸ <https://www.nj.gov/dep/cleanairnj/exceedances/2018/070218.pdf>.

⁹ "NYISO – Called Events & Test", NYISO, dated 7/3/2018.

¹⁰ Assuming 10,960 MW of capacity and an emission rate of 0.5 g/bhp-h.

Revised Regulatory Flexibility Analysis

Distributed generation (DG) sources are engines used by host sites to supply electricity outside that supplied by distribution utilities. This on-site generation of electricity by DG sources is used by a wide-range of commercial, institutional and industrial facilities either in non-emergency situations when electricity costs are high or to reduce demand on the electric grid, or in emergency situations when the usual supply of power from central station power plants becomes unavailable.

DG sources emit nitrogen oxides (NOx), a precursor to ground-level ozone, which has been linked to adverse public health impacts. The increasing use of uncontrolled DG sources, if left unchecked, will exacerbate public health impacts and make it very difficult for New York to meet its obligations under the Clean Air Act (CAA) to attain the 2008 and 2015 8-hour ozone National Ambient Air Quality Standards (NAAQS).

The Department of Environmental Conservation (Department or DEC) adopted 6 NYCRR Part 222, "Distributed Generation Sources", along with attendant revisions to 6 NYCRR Part 200, "General Provisions", on November 1, 2016. The new rule took effect on December 1, 2016. On March 1, 2017, an Article 78 petition was filed challenging various aspects of Part 222. On July 26, 2017, a Stipulation and Order was issued whereby the Department agreed to propose a new rule to replace the adopted rule pursuant to the State Administrative Procedure Act (SAPA). The purpose of this rule making is to promulgate a new Part 222 along with the attendant changes to Part 200. The new rule will apply to economic dispatch sources located in the New York City metropolitan area (NYMA)¹ which are not currently regulated under Subpart 227-2. In addition, the Department may initiate a new rule to develop a minor source new source review regulation in accordance with Section 110(a)(2)(C) of the Clean Air Act to address NOx emitting sources not covered under Subpart 227-2 or the new Part 222.

EFFECT OF THE RULE

The proposed rule is limited to economic dispatch sources located in the NYMA. Economic dispatch includes DG sources enrolled in demand response (DR) programs sponsored by the New York Independent System Operator (NYISO) or distribution utilities and that receive capacity or energy payments or both. In addition, price-responsive generation sources, defined in Part 222 as DG sources used to provide electricity when the

cost of electricity supplied by the distribution utility is high, are also covered under the definition of economic dispatch sources.

Part 222 may impact a wide range of businesses in the NYMA. Based upon responses received pursuant to the notification provision in Section 222.3 of the rule adopted on November 1, 2016, more than 160 facilities enrolled in demand response programs may be subject to the new rule. Participants in DR programs include industrial, commercial and institutional facilities. There are approximately 10,960 buildings in New York City that are required to have emergency generators pursuant to Section 2702 of the New York City Electrical Code. These facilities could potentially operate those generators as price-responsive generation sources as a result of the ongoing Reforming the Energy Vision initiative overseen by the Public Service Commission.

Energy services companies (ESCOs) enroll facilities into DR programs sponsored by NYISO and distribution utilities. ESCOs' DR portfolios include curtailment, load shifting, energy efficiency and DG resources. Most DG resources in these portfolios are uncontrolled, diesel-fired engines. The Department is proposing a requirement whereby economic dispatch sources subject to Part 222 must be of Model Year 2000 or newer effective May 1, 2021. The Department anticipates that this will amount to a 35 percent reduction in generation resources enrolled in the NYISO's DR programs through 2025 with zero impact to the DR programs sponsored by Con Edison and Orange & Rockland Utilities. In addition, the Department is proposing NOx emission limits in Part 222 that would take effect on May 1, 2025 that are based, in large part, on provisions in Section 24-149.6 of the New York City Air Pollution Code. Therefore, it is expected that the provisions of Part 222 will minimally impact employment opportunities with ESCOs.

COMPLIANCE REQUIREMENTS

Part 222 will apply to economic dispatch sources in the NYMA with mechanical output ratings of 200 horsepower (hp) or greater. The rule will not apply to economic dispatch sources currently regulated under Subpart 227-2.

The following NOx provisions will apply to economic dispatch sources subject to Part 222, effective May 1, 2021 through April 30, 2025:

1. combustion turbines firing natural gas: must be of model year 2000 or newer or must have a NOx emission rate less than or equal to 2.96 pounds per megawatt-hour as certified in writing by a professional engineer;
2. combustion turbines firing oil: must be of model year 2000 or newer or must have a NOx emission rate less than or equal to 2.96 pounds per megawatt-hour as certified in writing by a professional engineer;
3. compression-ignition engines: must be of model year 2000 or newer or must have a NOx emission rate less than or equal to 2.96 pounds per megawatt-hour as certified in writing by a professional engineer;
4. lean-burn engines: must be of model year 2000 or newer or must have a NOx emission rate less than or equal to 2.96 pounds per megawatt-hour as certified in writing by a professional engineer; or
5. rich-burn engines: must be equipped with three-way catalyst emission controls.

The following NOx emission limits will apply to economic dispatch sources effective May 1, 2025:

1. combustion turbines firing natural gas: 25 parts per million on a dry basis corrected to 15 percent oxygen;
2. combined cycle turbines firing oil: 42 parts per million on a dry basis corrected to 15 percent oxygen;
3. spark ignition engines firing natural gas: 1.0 grams per brake horsepower-hour;
4. compression-ignition engines firing distillate oil (solely or in combination with other fuels) with nameplate ratings less than 750 hp: 0.30 grams per brake horsepower-hour; or
5. compression-ignition engines firing distillate oil (solely or in combination with other fuels) with nameplate ratings greater than or equal to 750 hp: 0.50 grams per brake horsepower-hour.

Emissions test reports demonstrating compliance with subdivision 222.4(b) of Part 222 must be submitted to and approved by the Department before a distributed generation source may be operated as an economic dispatch source on or after May 1, 2025.

PROFESSIONAL SERVICES

The services of an engineering consultant may be required in order to complete a permit. A stack testing company would be required to conduct the emissions testing required in Section 222.5.

COMPLIANCE COSTS

There are several pathways by which facilities subject to Part 222 may follow in order to comply with the emission limits set forth in Section 222.4 of Part 222:

1. replace a DG source with a new source;
2. install post-combustion NOx controls on an existing source; or
3. limit the use of non-compliant sources to emergency uses only.

The costs for post-combustion control systems are presented in the fol-

lowing sections for 1200 hp and 2000 hp engines as a possible compliance option for existing sources operating on or beyond May 1, 2025. As a point of comparison, replacement costs for new 1200 hp or 2000 hp engines that meet the EPA’s New Source Performance Standards (NSPS) requirements range from \$525,000 to \$1,000,000.^{2,3} The compliance costs for relegating a source to emergency-only status as defined in subdivision 200.1(cq) are lost income from capacity payments and generation payments during DR events.

Selective Catalytic Reduction (SCR) Systems

Selective catalytic reduction (SCR) systems can reduce the NOx emissions from lean-burn natural gas fired-engines and diesel-fired engines by up to 90 percent.⁴ The capital cost (installed) of SCR control systems are presented in Table 1.

Table 1: Capital Costs for SCR Systems

Cost Component	1200 hp Engine	2000 hp Engine
SCR System ⁵	\$108,300	\$180,500
Installation	\$65,000	\$108,300
Taxes	\$8,700	\$14,500
Testing ⁶	\$8,000	\$8,000
Total Cost	\$190,000	\$311,300

Operational costs vary depending upon several factors. The primary driver is the reagent (urea) cost. The other operational factors DEC considered in developing cost estimates for SCR systems are insurance, maintenance and labor costs.

Non-Selective Catalytic Reduction (NSCR) Systems

Non-selective catalytic reduction (NSCR) systems can reduce the NOx emissions from rich-burn natural gas fired-engines by up to 98 percent.⁷ The capital cost (installed) of NSCR control systems are presented in Table 2.

Table 2: Capital Costs for NSCR Systems

Cost Component	1200 hp Engine	2000 hp Engine
SCR System	\$23,500	\$39,200
Installation	\$14,100	\$23,500
Taxes	\$1,900	\$3,200
Testing ⁸	\$8,000	\$8,000
Total Cost	\$47,500	\$73,900

NSCR catalysts need to be replaced every five years.⁹ Replacement catalysts are estimated to cost 7 percent of the original NSCR system cost. In DEC cost analyses, the cost of installing the replacement catalyst was assumed to be 60 percent of the cost of the new catalyst. Annual costs for operating NSCR include insurance, maintenance and labor.

Compliance Testing

The emission testing costs are estimated to be \$8,000.¹⁰ This is a one-time cost for sources operating on or after May 1, 2025.

MINIMIZING ADVERSE IMPACT

The Department has taken the following steps to minimize the adverse impacts of Part 222 on small businesses and local governments:

1. The provisions that take effect on May 1, 2021 mirror the tariff provisions governing the demand response programs sponsored by Con Edison and Orange & Rockland Utilities. Sources enrolled in those programs will not be affected by this rulemaking until 2025, at which time most sources will be impacted by Section 24-149.6 of the New York City Air Pollution Code. This rule is anticipated to impact approximately 35 MW of DR sources enrolled in the NYISO’s DR programs beginning May 1, 2021. This amounts to approximately 7.7 percent of the capacity enrolled in the Special Case Resources program in NYISO Zones I, J and K.¹¹ Therefore, the impact to ESCO’s will be small in 2021.

2. The provisions limiting DR enrollment and price-responsive generation sources to model year 2000 or newer do not take effect until May 1, 2021 in order to provide DR sponsors, ESCOs and source owners sufficient time to adjust to the new rule.

3. The emissions testing requirements have been reduced significantly compared to the rule adopted in November 2016. PM testing will not be required. Only one emissions test per source is required – and this only applies to economic dispatch sources operating on or after May 1, 2025.

SMALL BUSINESS AND LOCAL GOVERNMENT PARTICIPATION

The rule adopted on November 1, 2016 was the result of a stakeholder process initiated by the Department in 2001. Stakeholder Meetings were held on November 13, 2001, December 12, 2002, April 8, 2003, May 17, 2004, June 29, 2006 and June 25, 2013. Drafts of Part 222 were circulated

electronically to stakeholders in May 2004, January 2005, June 2006 and May 2013. More than 175 stakeholders have been involved in the process of developing Part 222 and anyone who requested to be added to the list of stakeholders was added. The meeting of April 8, 2003 was advertised in the Department’s Environmental Notice Bulletin.

Drafts of a proposed replacement rule were released to stakeholders on November 3, 2017, February 26, 2018 and June 5, 2018. Stakeholder meetings were held on November 13, 2017 and March 12, 2018.

Many of the participants in the stakeholder process represented small businesses and local governments. These groups include law firms, consultants, ESCOs, trade organizations, manufacturers, and governmental agencies that work with small businesses and local governments.

ECONOMIC AND TECHNICAL FEASIBILITY

Facilities that decide to participate in demand response or utilize price-responsive generation sources will have two compliance pathways to choose from. First, they can purchase new DG sources that meet the NOx limits set forth in Part 222. Second, they can install post-combustion NOx controls on existing sources in order to comply with the appropriate NOx standard. Both options are technically feasible. It will be up to each facility to decide whether participating in DR or price-responsive generation is consistent with their respective business models.

CURE PERIOD:

In accordance with SAPA Section 202-b, this rulemaking does not include a cure period since the first compliance date (May 1, 2021) will be more than 30 days after rule adoption. This rulemaking does not require stakeholders to take any actions which necessitate a cure period.

INITIAL REVIEW

The initial review of this rule shall occur within the third year after this rule is adopted.

¹ The term ‘New York City metropolitan area’ is defined in Part 200.1(au) as all of New York City and Nassau, Suffolk, Westchester and Rockland Counties.

² E-mail from Joe Suchecki (Truck & Engine Manufacturers Association) to John Barnes (DEC) dated November 8, 2013.

³ Replacement costs as well as the costs for pollution control systems could be higher than the costs presented in this section in cases where there are space limitations or building or fire code requirements that must be met.

⁴ “NOx Control for Stationary Gas Engines,” Wilson Chu (Johnson-Matthey), Advances in Air Pollution Control Technology, MARAMA Workshop, May 19, 2011.

⁵ Sources: CARB 2010. Regulatory Analysis for Revisions to Stationary Diesel Engine Air Toxic Control Measure. Appendix B. Analysis of Technical Feasibility and Costs of After-treatment Controls on New Emergency Diesel Engines; and (2) Producer Price Index, U.S. Department of Labor, Bureau of Labor Statistics.

⁶ Testing costs include NOx and PM tests (diesel engines). For natural gas-fired engines, the estimated cost is \$8,000 for NOx tests only.

⁷ “NOx Control for Stationary Gas Engines,” Wilson Chu (Johnson-Matthey), Advances in Air Pollution Control Technology, MARAMA Workshop, May 19, 2011.

⁸ Emissions tests for NOx only since the PM standard does not apply to natural gas engines.

⁹ E-mail from Wilson Chu (Johnson Matthey) to John Barnes (DEC) dated January 24, 2008.

¹⁰ Stack testing costs are based upon an informal Department survey of several stack testing companies.

¹¹ “Semi-Annual Reports on New Generation Projects and Demand Response Programs,” Attachment II, New York Independent System Operator, June 1, 2017.

Revised Rural Area Flexibility Analysis

Distributed generation (DG) sources are engines used by host sites to supply electricity outside that supplied by distribution utilities. This on-site generation of electricity by DG sources is used by a wide-range of commercial, institutional and industrial facilities either in non-emergency situations when electricity costs are high or to reduce demand on the electric grid, or in emergency situations when the usual supply of power from central station power plants becomes unavailable.

DG sources emit nitrogen oxides (NOx), a precursor to ground-level ozone, which has been linked to adverse public health impacts. The increasing use of uncontrolled DG sources, if left unchecked, will exacerbate public health impacts and make it very difficult for New York to meet its obligations under the Clean Air Act (CAA) to attain the 2008 and 2015 8-hour ozone National Ambient Air Quality Standards (NAAQS).

The Department of Environmental Conservation (Department or DEC) adopted 6 NYCRR Part 222, “Distributed Generation Sources”, along with attendant revisions to 6 NYCRR Part 200, “General Provisions”, on November 1, 2016. The new rule took effect on December 1, 2016. On March 1, 2017, an Article 78 petition was filed challenging various aspects of Part 222. On July 26, 2017, a Stipulation and Order was issued whereby the Department agreed to propose a new rule to replace the adopted rule pursuant to the State Administrative Procedure Act (SAPA). The purpose of this rule making is to promulgate a new Part 222 along with the attendant changes to Part 200. The new rule will apply to economic dispatch sources located in the New York City metropolitan area (NYMA)¹ which are not currently regulated under Subpart 227-2. In addition, the Department may initiate a new rule to develop a minor source new source review regulation in accordance with Section 110(a)(2)(C) of the Clean Air Act to address NOx emitting sources not covered under Subpart 227-2 or the new Part 222.

TYPES AND ESTIMATED NUMBERS OF RURAL AREAS

This rule will apply in the NYMA which includes the counties of Rockland, Westchester and Suffolk. A few towns in these counties could be considered rural areas. However, at this time, we do not anticipate that new Part 222 and attendant revisions to Part 200 will apply to any current facilities in these rural areas.

REPORTING, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES

Reporting & Recordkeeping:

An owner or operator of a DG source that will operate as an economic dispatch source must notify the Department in writing by March 15, 2021 or 30 days prior to operating the source as an economic dispatch source, whichever is later.

Emissions test reports demonstrating compliance with subdivision 222.4(b) of new Part 222 must be submitted to and approved by the Department before a distributed generation source may be operated as an economic dispatch source on or after May 1, 2025. The purpose of the emissions testing requirements in new Part 222 is to ensure that sources subject to the rule meet the emission standards set forth in the rule.

In addition, facilities subject to Part 222 must maintain records regarding hours of operation and fuel use for a period of five years.

Compliance Requirements:

The following provisions will apply to economic dispatch sources effective May 1, 2021:

1. combustion turbines firing natural gas: must be of model year 2000 or newer or must have a NOx emission rate less than or equal to 2.96 pounds per megawatt-hour as certified in writing by a professional engineer;
2. combustion turbines firing oil: must be of model year 2000 or newer or must have a NOx emission rate less than or equal to 2.96 pounds per megawatt-hour as certified in writing by a professional engineer;
3. compression-ignition engines: must be of model year 2000 or newer or must have a NOx emission rate less than or equal to 2.96 pounds per megawatt-hour as certified in writing by a professional engineer;
4. lean-burn engines: must be of model year 2000 or newer or must have a NOx emission rate less than or equal to 2.96 pounds per megawatt-hour as certified in writing by a professional engineer; or
5. rich-burn engines: must be equipped with three-way catalyst emission controls.

The following NOx emission limits will apply to economic dispatch sources effective May 1, 2025:

1. combustion turbines firing natural gas: 25 parts per million on a dry basis corrected to 15 percent oxygen;
2. combined cycle turbines firing oil: 42 parts per million on a dry basis corrected to 15 percent oxygen;
3. spark ignition engines firing natural gas: 1.0 grams per brake horsepower-hour;
4. compression-ignition engines firing distillate oil (solely or in combination with other fuels) with nameplate ratings less than 750 hp: 0.30 grams per brake horsepower-hour; or
5. compression-ignition engines firing distillate oil (solely or in combination with other fuels) with nameplate ratings greater than or equal to 750 hp: 0.50 grams per brake horsepower-hour.

Professional Services:

The services of an engineering consultant may be required in order to complete a permit application. A stack testing company would be required to conduct the emissions testing required in Section 222.5.

COSTS

There are several pathways facilities subject to Part 222 may follow in order to comply with the emission limits set forth in Section 222.4 of Part 222:

1. replace a DG source with a new source;
2. install post-combustion NOx controls on an existing source; or
3. limit the use of non-compliant sources to emergency uses only.

The costs for post-combustion control systems are presented in the following sections for 1,200 hp and 2,000 hp engines as a possible compliance option for existing sources operating on or beyond May 1, 2025. As a point of comparison, replacement costs for new 1,200 hp or 2,000 hp engines that meet the New Source Performance Standards² requirements range from \$525,000 to \$1,000,000.^{3,4} The compliance costs for relegating a source to emergency-only status as defined in subdivision 200.1(cq) are lost income from capacity payments and generation payments during DR events.

Selective Catalytic Reduction (SCR) Systems

Selective catalytic reduction (SCR) systems can reduce the NOx emissions from lean-burn natural gas fired-engines and diesel-fired engines by up to 90 percent.⁵ The capital cost (installed) of SCR control systems are presented in Table 1.

Table 1: Capital Costs for SCR Systems

Cost Component	1200 hp Engine	2000 hp Engine
SCR System ⁶	\$108,300	\$180,500
Installation	\$65,000	\$108,300
Taxes	\$8,700	\$14,500
Testing ⁷	\$8,000	\$8,000
Total Cost	\$190,000	\$311,300

Operational costs vary depending upon several factors. The primary driver is the reagent (urea) cost. The other operational factors DEC considered in developing cost estimates for SCR systems are insurance, maintenance and labor costs.

Non-Selective Catalytic Reduction (NSCR) Systems

Non-selective catalytic reduction (NSCR) systems can reduce the NOx emissions from rich-burn natural gas fired-engines by up to 98 percent.⁸ The capital cost (installed) of NSCR control systems are presented in Table 2.

Table 2: Capital Costs for NSCR Systems

Cost Component	1200 hp Engine	2000 hp Engine
SCR System	\$23,500	\$39,200
Installation	\$14,100	\$23,500
Taxes	\$1,900	\$3,200
Testing ⁹	\$8,000	\$8,000
Total Cost	\$47,500	\$73,900

NSCR catalysts need to be replaced every five years.¹⁰ Replacement catalysts are estimated to cost 7 percent of the original NSCR system cost. In DEC cost analyses, the cost of installing the replacement catalyst was assumed to be 60 percent of the cost of the new catalyst. Annual costs for operating NSCR include insurance, maintenance and labor.

Compliance Testing

The emission testing costs are estimated to be \$8,000.¹¹ This is a one-time cost for sources operating on or after May 1, 2025.

MINIMIZING ADVERSE IMPACT

The Department has taken the following steps to minimize the adverse impacts of Part 222 on facilities subject to the rule:

1. The provisions that take effect on May 1, 2021 mirror the tariff provisions governing the demand response programs sponsored by Con Edison and Orange & Rockland Utilities. Sources enrolled in those programs will not be affected by this rulemaking until 2025, at which time most sources will be impacted by Section 24-149.6 of the New York City Air Pollution Code. This rule is anticipated to impact approximately 35 MW of DR sources enrolled in the NYISO’s DR programs beginning May 1, 2021. This amounts to approximately 7.7 percent of the capacity enrolled in the Special Case Resources program in NYISO Zones I, J and K.¹²

2. The provisions limiting DR enrollment and price-responsive generation sources to model year 2000 or newer do not take effect until May 1, 2021 in order to provide DR sponsors, energy services companies (ESCOs) and source owners sufficient time to adjust to the new rule.

3. The emissions testing requirements have been reduced significantly compared to the rule adopted in November 2016. PM testing will not be required. Only one emissions test per source is required – and this only applies to economic dispatch sources operating on or after May 1, 2025.

RURAL AREA PARTICIPATION

Drafts of a proposed replacement rule were released to stakeholders on November 3, 2017, February 26, 2018 and June 5, 2018. Stakeholder meetings were held on November 13, 2017 and March 12, 2018.

INITIAL REVIEW

The initial review of this rule shall occur no later than in the third calendar year after the year in which the rule is adopted.

¹ The term ‘New York City metropolitan area’ is defined in Part 200.1(a) as all of New York City and Nassau, Suffolk, Westchester and Rockland Counties.

² 40 CFR 60, Subparts IIII (compression-ignition engines), JJJJ (spark-ignition engines) and KKKK (turbines).

³ E-mail from Joe Suchecki (Truck & Engine Manufacturers Association) to John Barnes (DEC) dated November 8, 2013.

⁴ Replacement costs as well as the costs for pollution control systems could be higher than the costs presented in this section in cases where there are space limitations or building or fire code requirements that must be met.

⁵ “NOx Control for Stationary Gas Engines,” Wilson Chu (Johnson-Matthey), Advances in Air Pollution Control Technology, MARAMA Workshop, May 19, 2011.

⁶ Sources: CARB 2010. Regulatory Analysis for Revisions to Stationary Diesel Engine Air Toxic Control Measure. Appendix B. Analysis of Technical Feasibility and Costs of After-treatment Controls on New Emergency Diesel Engines; and (2) Producer Price Index, U.S. Department of Labor, Bureau of Labor Statistics.

⁷ Testing costs include NOx and PM tests (diesel engines). For natural gas-fired engines, the estimated cost is \$8,000 for NOx tests only.

⁸ “NOx Control for Stationary Gas Engines,” Wilson Chu (Johnson-Matthey), Advances in Air Pollution Control Technology, MARAMA Workshop, May 19, 2011.

⁹ Emissions tests for NOx only since the PM standard does not apply to natural gas engines.

¹⁰ E-mail from Wilson Chu (Johnson Matthey) to John Barnes (DEC) dated January 24, 2008.

¹¹ Stack testing costs are based upon an informal Department survey of several stack testing companies.

¹² “Semi-Annual Reports on New Generation Projects and Demand Response Programs,” Attachment II, New York Independent System Operator, June 1, 2017.

Revised Job Impact Statement

Distributed generation (DG) sources are engines used by host sites to supply electricity outside that supplied by distribution utilities. This on-site generation of electricity by DG sources is used by a wide-range of commercial, institutional and industrial facilities either in non-emergency situations when electricity costs are high or to reduce demand on the electric grid, or in emergency situations when the usual supply of power from central station power plants becomes unavailable.

The Department of Environmental Conservation (Department or DEC) adopted 6 NYCRR Part 222, Distributed Generation Sources, along with attendant revisions to 6 NYCRR Part 200, General Provisions, on November 1, 2016. The new rule took effect on December 1, 2016. On March 1, 2017, an Article 78 petition was filed challenging various aspects of Part 222. On July 26, 2017, a Stipulation and Order was issued whereby the Department agreed to propose a new rule to replace the adopted rule pursuant to the State Administrative Procedure Act. The purpose of this rule making is to promulgate a new Part 222 along with the attendant changes to Part 200. The new rule will apply to economic dispatch sources located in the New York City metropolitan area (NYMA)¹ which are not currently regulated under Subpart 227-2. In addition, the Department may initiate a new rule making to develop a minor source new source review regulation in accordance with Section 110(a)(2)(C) of the Clean Air Act to address NOx emitting sources not covered under Subpart 227-2 or the new Part 222.

I. NATURE OF IMPACT

The proposed rule is limited to economic dispatch sources located in the NYMA. Economic dispatch includes DG sources enrolled in demand response (DR) programs sponsored by the New York Independent System Operator (NYISO) or distribution utilities and that receive capacity or energy payments or both. In addition, price-responsive generation sources, defined in Part 222 as DG sources used to provide electricity when the cost of electricity supplied by the distribution utility is high, are also covered under the definition of economic dispatch sources.

DR programs are sponsored by the NYISO and distribution utilities. Sources enrolled in these programs receive capacity or energy payments or both. Part 222 may impact jobs and employment opportunities at a wide range of businesses in the NYMA. Based upon responses received pursuant to the notification provision in Section 222.3 of the rule adopted on November 1, 2016, more than 160 facilities may be affected by the new proposed rule. Facilities participating in DR programs include industrial, commercial and institutional facilities. Energy production is not a primary function at these facilities. Therefore, Part 222 may have minimal impacts, if any, on employment opportunities at affected facilities.

Energy services companies (ESCOs) enroll facilities into DR programs sponsored by the NYISO and distribution utilities. ESCOs’ DR portfolios include curtailment, load shifting, energy efficiency and DG resources. Most DG resources in these portfolios are uncontrolled, diesel-fired engines that will be subject to control requirements that will take effect on May 1, 2021. In 2025, very few DR sources will be able to meet the Part 222 limits. However, the emission limits in Part 222 that would take effect on May 1, 2025 are based, in large part, on provisions in Section 24-149.6 of the New York City Air Pollution Code. Therefore, it is expected that the provisions of Part 222 will minimally impact employment opportunities with ESCOs.

Stack testing will be required to demonstrate compliance with Part 222 emission standards for economic dispatch sources that will operate May 1, 2025 and beyond. Therefore, employment opportunities with consultants and vendors specializing in stack testing are expected to increase as a result of the adoption of Part 222.

There will be an additional work load for the Department to implement Part 222, including preparing new and modified air permits, reviewing stack test reports and creating compliance reports in the Air Facility System database. It is estimated that it will take one staff-year to initiate the program to implement Part 222 and two staff-years annually to implement Part 222. The Department does not anticipate hiring additional staff to implement Part 222.

II. CATEGORIES AND NUMBERS OF JOBS OR EMPLOYMENT OPPORTUNITIES AFFECTED

Distributed generation can be used at a wide range of industrial, commercial and institutional facilities. More than 160 facilities in the NYMA are enrolled in demand response programs. DR activities are not the primary source of income for affected facilities. Therefore, the Department expects that impacts to employment opportunities would be minimal.

The adoption of Part 222 may lead to increased employment opportunities with professional services companies that provide environmental monitoring and compliance services (such as stack testing) as well as for vendors who sell and install pollution control systems.

III. REGIONS OF ADVERSE IMPACT

The rule only impacts facilities located in the NYMA that utilize economic dispatch sources and that are not subject to Subpart 227-2.

IV. MINIMIZING ADVERSE IMPACT

The Department has taken the following steps to minimize the adverse impacts of Part 222:

1. The provisions that take effect on May 1, 2021 mirror the tariff provisions that govern the demand response programs sponsored by Con Edison and Orange & Rockland Utilities. Sources enrolled in those programs will not be affected by this rulemaking until 2025, at which time most affected sources will also be impacted by Section 24-149.6 of the New York City Air Pollution Code. This rule is anticipated to impact approximately 35 MW of DR sources enrolled in the NYISO’s DR programs beginning May 1, 2021. This amounts to approximately 7.7 percent of the capacity enrolled in the Special Case Resources program in NYISO Zones I, J and K.² Therefore, the impact to ESCO’s will be small in 2021.

2. The provisions limiting DR enrollment and price-responsive generation sources to model year 2000 or newer do not take effect until May 1, 2021 in order to provide DR sponsors, ESCOs and source owners sufficient time to adjust to the new rule.

3. The emissions testing requirements have been reduced significantly compared to the rule adopted in November 2016. PM testing will not be required. Only one emissions test per source is required – and this only applies to sources that will operate as economic dispatch sources on or after May 1, 2025.

V. SELF-EMPLOYMENT OPPORTUNITIES

The adoption of Part 222 is not expected to result in negative impacts to self-employment opportunities.

VI. INITIAL REVIEW

The initial review of this rule shall occur within the third year after this rule is adopted.

¹ The term ‘New York City metropolitan area’ is defined in Part 200.1(a) as all of New York City and Nassau, Suffolk, Westchester and Rockland Counties.

² “Semi-Annual Reports on New Generation Projects and Demand Response Programs,” Attachment II, New York Independent System Operator, June 1, 2017.

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2023, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

More than 40 distinct comments were received during the public comment period that extended from September 4, 2019 through 5:00 P.M., November 25, 2019.

More comments were directed at Section 222.3, "Notification of Applicability," than any other section of the proposed rule. Three comments sought clarifications regarding where and how notifications were to be submitted to the Department. Notifications may be submitted via e-mail or courier to the Regional Air Pollution Control Engineer in the Department regional office serving the county where a facility is located. Several comments were received regarding the options available to facilities that want to operate a distributed generation source as an economic dispatch source but do not submit a notification by the compliance date (March 15, 2020 in the proposed rule). These comments fell into three categories: 1) facilities with air permits that decide to operate distributed generation sources as economic dispatch sources after March 15, 2020; 2) facilities that submit late Notifications and 3) currently unpermitted facilities that decide after March 15, 2020 to operate distributed generation sources as economic dispatch sources. After reviewing these comments, the Department revised subdivision 222.3(b) of Part 222 to read as follows:

"An owner or operator of a distributed generation source that will operate as an economic dispatch source and is subject to a registration or permit issued by the Department prior to the effective date of this Part, must notify the Department in writing by March 15, 2021 or 30 days prior to operating the source as an economic dispatch source, whichever is later."

Cases where facilities submit late Notifications will be handled on a case-by-case basis. Facilities without an air permit must be issued a Registration Certificate or a State-facility Permit prior to operating distributed generation sources as economic dispatch sources.

Two commenters supported the applicability limitation to the New York City metropolitan area (NYMA) non-attainment area. One commenter stated that the Section 24-149.6 of the New York City Air Pollution Code apply did not apply to emergency engines as defined by the United States Environmental Protection Agency (EPA) in 40 CFR 63, Subpart ZZZZ. The Department replied that the definition of emergency generators set forth in subdivision 200.1(cq) of Part 200 is more limited (stricter) than the EPA's definition for that source category. Therefore, emergency generators must meet the definition set forth in subdivision 200.1(cq). Sources enrolled in demand response programs do not meet the requirements set forth in subdivision 200.1(cq).

There were two comments seeking clarification of the definition of economic dispatch sources. Specifically, a commenter asked how a generator providing full time electricity to a facility that also receives electric utility service, but still needs additional service will be classified in Part 222. The Department responded that such an application does not fall under Part 222. As stated on page 7 of the Regulatory Impact Statement (RIS), the purpose of Part 222 is to address emissions from emergency engines used in non-emergency applications. However, the situation described by the commenter would be subject to 6 NYCRR Part 201, "Permits and Registrations", which establishes the permitting thresholds for devices that emit air pollutants. In addition, a commenter requested clarification of what the Department meant by the words "not served" in the definition of an economic dispatch source. The Department responded that the phrase "not served by distribution utilities" in the definition of the term "economic dispatch sources" refers to generators that supply electricity to structures or equipment that are not powered by electricity provided by distribution utilities. One commenter asked that Part 222 not apply to sources enrolled in Distribution Load Relief Programs. The Department responded by stating that such programs are demand response programs based upon the tariffs approved by the New York State Public Service Commission.

One commenter stated that the definition of economic dispatch sources was unreasonably discriminatory towards distributed generation sources participating in demand response programs. Further, they stated that other distributed generation applications not covered under Part 222 also emit oxides of nitrogen (NOx) on high ozone days. The Department responded that the purpose of Part 222, as stated on page 7 of the RIS, is to address emissions from emergency engines used in non-emergency applications. Distributed generation sources that are not connected to the grid are subject to Part 201, "Permits and Registrations" unless they meet one of the exemptions listed in Subpart 201-3. Furthermore, as stated on page 25 of the RIS, a regulatory strategy to address emissions from DG sources not subject to this rule may be addressed through a separate rule making effort.

There were several comments submitted regarding the compliance date for the first control requirements in the proposed rule which was May 1, 2020. One commenter asked that the rule be adopted as expeditiously as possible in order for demand response source owners to be certain of their compliance obligations for the 2020 summer control period. Other commenters requested that the compliance date be delayed between 1 to 2 years in order to allow time for source owners to comply with Part 222. In the adopted rule, the Department delayed the compliance date in subdivision 222.4(a) one year to May 1, 2021.

Two commenters requested that a variance provision be added to Part 222. There is a variance provision included in Section 24-149.6(c) of the New York City Air Pollution Code. The Department added a new subdivi-

sion 222.4(c) to Part 222 to allow up to a two-year extension of the subdivision 222.4(b) compliance date (May 1, 2025) in cases where owners or operators can provide evidence, such as a contract, to demonstrate that they intend to meet the emission limits set forth in subdivision 222.4(b) as expeditiously as possible, but not later than April 30, 2027.

One commenter opposed the emissions testing requirements in subdivision 222.5. The Department responded that, by May 2025, many Tier IV engines will be ten years old or more. Many spark ignition engines and turbines will be approaching 15 years in age at that time. As stated on page 28 of the RIS, the purpose of the one-time emissions testing requirement is to ensure that sources subject to the rule meet the emission standards set forth in Part 222. The Department expects that sources that are well maintained will be able to demonstrate compliance with the NOx emission standards.

Four comments were submitted regarding the impact of Part 222 on the use of demand response sources to provide grid reliability in the future. The Department responded that it worked with a wide-range of stakeholders, including the New York Independent System Operator, during the development of Part 222 and believes that the final rule balances the needs for NOx emission reductions with maintaining a reliable electric grid.

One commenter disagreed with the cost estimates for installing pollution control equipment that was presented in the RIS. The Department responded that the cost estimates presented in the supporting documents in this rule making are based on capital and operational costs obtained from a variety of sources (see pages 28-31 of the RIS). The Department agrees that Manhattan has unique constraints which may add to the costs for installing new engines or pollution control systems. However, the Department believes that the benefits anticipated from Revised Part 222 justify the estimated costs.

One commenter questioned Department's estimate that the mean nameplate rating for emergency generators in New York City was 1000 kilowatts (kW). The Department responded that, based on a review of the data generated from the Notification provision (Section 222.3) in the rule adopted on November 1, 2016 and issued registrations and permits, the Department was able to compile nameplate ratings for 226 sources in New York City. The average nameplate rating was 1102 kW.

One commenter questioned whether Part 222 is a critical component of the Department's strategy to bring the NYMA into attainment with the 2008 and 2015 ozone National Ambient Air Quality Standards (NAAQS) and that any cause-and-effect relationship exists between demand response events and high ozone days. The Department disagreed with these assertions. The Department's response is presented below.

The form of the ozone NAAQS is a three-year mean of the fourth highest ozone reading at a given monitoring location. Therefore, in developing strategies to bring the NYMA into attainment with the 2008 and 2015 ozone NAAQS, the Department must target emissions on the worst ozone days. In order to do so, the categories of sources that operate on those days need to be identified. Demand response events have been called on high ozone days. In the future, the Department believes this will continue to be true. Therefore, NOx emissions from demand response sources must be factored into the Department's strategy to bring the NYMA nonattainment area into compliance with the 2008 and 2015 ozone NAAQS. The Department believes that the regulatory approach set forth in the new Part 222 represents a balance between reducing emissions from demand response sources (as well as limiting emissions from price-responsive generation sources) with maintaining the reliability of the electric grid.

For example, the high ozone levels observed on July 2, 2018 resulted from a wide range of sources, including interstate transport of ozone, NOx emissions from combustion sources (stationary and mobile) and volatile organic compounds (VOCs) emissions from architectural and industrial maintenance coatings, consumer products, etc. within the nonattainment area.

In 2019, the Department adopted a new rule to reduce NOx emissions from peaking turbines (Subpart 227-3). In that rule, the Department estimated NOx reductions of 18 tons per day. Further, the Department adopted revisions to Part 205, "Architectural and Industrial Maintenance (AIM) Coatings," in which the estimated reduction in VOCs was 16 tons per day, a fraction of which would occur in the NYMA.¹ Additional rules are under development that will yield VOC reductions on the order of the Part 205 revisions. The NOx emission reductions anticipated from the adoption of Revised Part 222 are on the order of many regulations under development or revision by the Department. The emission reductions from Part 222 are estimated at 3.5 tons per day in 2021 and 5 tons per day by 2025 for demand response sources. A 3.5 or 5 ton per day reduction in NOx emissions is a necessary step towards meeting New York's obligations under Section 110 of the Clean Air Act (CAA).

Pursuant to 42 U.S.C Section 110(a)(2)(D)(i)(I) of the CAA, upwind states are required to reduce pollution that could contribute to downwind states' inability to maintain or attain compliance with a NAAQS.² According to EPA, New York's largest contribution to a monitor showing nonat-

tainment with the ozone NAAQS is 0.0185 parts per million.³ The 2018 design value for the New York-Northern New Jersey-Long Island, NY-NJ-CT moderate ozone nonattainment area (which includes the NYMA) is 0.083 parts per million.⁴ The emission reduction strategies the Department has adopted or is developing, including Revised Part 222, will be incorporated into the New York State Implementation Plan to fulfill New York's obligation with respect to the aforementioned CAA requirements.

¹ Revised Regulatory Impact Statement for Part 205, page 7.
² <https://www.epa.gov/newsreleases/epa-proposal-addresses-good-neighbor-obligations-2008-ozone-standard>.
³ Federal Register, Volume 81, No. 207, October 26, 2016, page 74537.
⁴ <https://www.epa.gov/air-trends/air-quality-design-values#report>.

Public Service Commission

NOTICE OF WITHDRAWAL

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following actions:

The following rule makings have been withdrawn from consideration:

I.D. No.	Publication Date of Proposal
PSC-14-17-00017-P	April 5, 2017
PSC-37-17-00006-P	September 13, 2017
PSC-40-17-00006-P	October 4, 2017
PSC-50-17-00022-P	December 13, 2017
PSC-34-18-00011-P	August 22, 2018
PSC-45-18-00004-P	November 7, 2018
PSC-01-19-00014-P	January 2, 2019
PSC-01-19-00015-P	January 2, 2019
PSC-01-19-00016-P	January 2, 2019
PSC-02-19-00014-P	January 9, 2019
PSC-09-19-00009-P	February 27, 2019
PSC-13-19-00012-P	March 27, 2019
PSC-30-19-00007-P	July 24, 2019
PSC-39-19-00014-P	September 25, 2019
PSC-40-19-00007-P	October 2, 2019

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Commission's Statewide Low-Income Discount Policy

I.D. No. PSC-10-20-00003-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering the petition filed by the City of New York on January 31, 2020, requesting to re-examine and modify the low-income customer discounts approved by the Commission in its Low-Income Order and Rehearing Order.

Statutory authority: Public Service Law, sections 4(1), 5(1), 65(1), (2), (3), 66(1), (2), (3), (5), (8), (9) and (12)

Subject: Commission's statewide low-income discount policy.

Purpose: To consider modifications to certain conditions regarding utility low-income discount programs.

Substance of proposed rule: The Commission is considering the petition, filed by the City of New York (the City), on January 31, 2020, to re-examine and modify the low-income customer discounts provided by the major utilities as approved by the Commission in its Order Adopting Low Income Program Modifications and Directing Utility Filings (Low-Income Order) and Order Granting in Part and Denying in Part Requests for Reconsideration and Petitions for Rehearing (Rehearing Order) in Case 14-M-0565.

The petition requests re-examination of the low-income discount calculation methodology utilized in the Low-Income Order. More specifically, the City asserts that: (1) the current methodology incorrectly assumes that all low-income customers receive the highest qualifying income level; (2) using historical average monthly bills inaccurately

represents current monthly bill levels; and, (3) the maximum Home Energy Assistance Program discount level is not received by most customers. According to the City, the current low-income program discount levels do not achieve the policy goals established in the Low-Income Order. Additionally, the petition proposes modifications to the prescribed process regarding when a utility's low-income program budget exceeds the established budget cap.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website: <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(14-M-0565SP11)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Recovery of Extraordinary Repair Expenses and Establishment of an Escrow Account

I.D. No. PSC-10-20-00004-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Public Service Commission is considering a petition filed by Crystal Water Supply Company, Inc. requesting authorization to establish a replenishable escrow account for recovery of recent extraordinary repairs and future repairs as needed.

Statutory authority: Public Service Law, sections 5, 89(b) and 89c-(10)

Subject: Recovery of extraordinary repair expenses and establishment of an escrow account.

Purpose: To consider if the proposed escrow account is in the public interest.

Substance of proposed rule: The Commission is considering a petition filed on February 6, 2020 by Crystal Water Supply Company, Inc. (Crystal Water) requesting authorization to establish a replenishable escrow account with a maximum balance of \$10,000 for the recovery of \$34,982 in extraordinary repair costs associated with two repairs which occurred in July and September of 2019.

Crystal Water proposes to recover these extraordinary repair costs via a \$30.00 per customer quarterly surcharge over a two-year period. After recovery of the extraordinary repair costs, Crystal Water requests that the escrow account continue to be maintained to provide funds for future repairs, maintenance and improvements to the water system, with a decreased surcharge of \$17.00 per customer until the account is fully funded.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject, or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website: <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-W-0066SP1)

**PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED**

Partial Waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process

I.D. No. PSC-10-20-00005-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a petition filed on February 14, 2020 by Family Energy, Inc. for a partial waiver of the Commission's Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process, issued on December 12, 2019.

Statutory authority: Public Service Law, sections 5(1)(b), 65(1), (2), (3), 66(1), (2), (3), (5) and (8)

Subject: Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.

Purpose: To consider whether Family Energy, Inc. should be granted a waiver to offer two "green gas" products to mass market customers.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed on February 14, 2020 by Family Energy, Inc. (Family Energy) for a partial waiver of the Commission's Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process, issued on December 12, 2019 in Case 15-M-0127, et al. (December 2019 Order).

The December 2019 Order, among other things, limited the types of products that energy service companies (ESCOs) can offer to New York mass market customers to those products that: (1) include a guaranteed savings over the utility price, as reconciled on an annual basis; (2) are for a fixed-rate commodity product that is priced at no more than 5% greater than the trailing 12-month average utility supply rate; and, (3) are for a renewably sourced electric commodity product that (a) has a renewable mix that is at least 50% greater than the ESCO's current Renewable Energy Standard (RES) obligation, and (b) the ESCO complies with the RES locational and delivery requirements when procuring Renewable Energy Credits (RECs) or entering into bilateral contracts for renewable commodity supply. Additionally, the December 2019 Order allowed for an additional product to be offered by Agway Energy Services, LLC (Agway) who provides customers with its EnergyGuard service. The December 2019 Order provided a limited opportunity for other ESCOs to petition the Commission for the opportunity to sell a product/service similar to EnergyGuard.

Family Energy requests that it be permitted to offer two products under its Green Gas Program. According to Family Energy, these products provide specific, credible, and quantifiable energy-related value in a monetary and non-monetary sense to customers, and simultaneously advances the New York's clean energy policy objectives. Family Energy asserts that, because these products are "bona-fide value-added products," a partial waiver from the December 2019 Order to offer those products to its customers is appropriate.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website: <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6517, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(15-M-0127SP10)

**PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED**

Petition to Submeter Electricity

I.D. No. PSC-10-20-00006-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering the petition of Campus West, LLC to submeter electricity at 129 West Avenue, Buffalo, New York.

Statutory authority: Public Service Law, sections 2, 4(1), 30, 32-48, 52, 53, 65(1), 66(1), (2), (3), (4), (12) and (14)

Subject: Petition to submeter electricity.

Purpose: To ensure adequate submetering equipment and consumer protections are in place.

Substance of proposed rule: The Commission is considering the petition, filed by Campus West, LLC on February 18, 2020 to submeter electricity at 129 West Avenue, Buffalo, New York 14021, located in the service territory of Niagara Mohawk Power Corporation (National Grid).

In the petition, Campus West, LLC requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its tenants. Submetering of electricity to residential tenants is allowed so long as it complies with the protections and requirements of the Commission's regulations in 16 NYCRR Part 96.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website: <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-E-0088SP1)

**Department of Taxation and
Finance**

**EMERGENCY
RULE MAKING**

Metropolitan Transportation Business Tax Surcharge

I.D. No. TAF-50-19-00003-E

Filing No. 144

Filing Date: 2020-02-20

Effective Date: 2020-02-20

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Addition of section 9-1.2(f) to Title 20 NYCRR.

Statutory authority: Tax Law, sections 171, subdivision First and 209-B, subdivision one; L. 2014, ch. 59, part A, sections 7

Finding of necessity for emergency rule: Preservation of general welfare.

Specific reasons underlying the finding of necessity: Specific reasons underlying the finding of necessity: The Commissioner is required, pursuant to Tax Law section 209-B(1)(f), to annually adjust the rate of the metropolitan transportation business tax surcharge for taxable years beginning

on or after January 1, 2016. The rate is to be adjusted as necessary to ensure that the receipts attributable to the surcharge will meet and not exceed the financial projections for each state fiscal year, as reflected in the enacted budget for that fiscal year.

This rule is being re-adopted on an emergency basis in order to have the rates for tax year 2020 in place by January 1, 2020, to enable taxpayers to properly estimate the taxes due for tax year 2020 and reflect these estimated taxes in their financial statements and to avoid a gap in the effectiveness of the rule.

Subject: Metropolitan Transportation Business Tax Surcharge.

Purpose: To provide metropolitan transportation business tax rate for tax year 2020 and avoid a gap in the effectiveness of the rule.

Text of emergency rule: Section 1. Subchapter A of Title 20 of the Codes, Rules and Regulations of the State of New York is amended to add a new subdivision (f) to section 9-1.2 of Part 9 to read as follows:

(f) *The metropolitan transportation business tax surcharge will be computed at the rate of 29.4 percent of the tax imposed under section 209 of the Tax Law for taxable years beginning on or after January 1, 2020 and before January 1, 2021. The rate used to compute the metropolitan transportation business tax surcharge, as determined by the Commissioner, will remain the same in any succeeding taxable year, unless the Commissioner, pursuant to the authority in paragraph (f) of subdivision (1) of section 209-B of the Tax Law, determines a new rate.*

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. TAF-50-19-00003-EP, Issue of November 25, 2019. The emergency rule will expire April 19, 2020.

Text of rule and any required statements and analyses may be obtained from: Kathleen D. Chase, Department of Taxation and Finance, Office of Counsel, Building 9, W.A. Harriman Campus, Albany, NY 12227, (518) 530-4153, email: kathleen.chase@tax.ny.gov

Regulatory Impact Statement

1. Statutory authority: Tax Law, section 171, subdivision First, generally authorizes the Commissioner of Taxation and Finance to promulgate regulations; Tax Law section 209-B generally imposes a tax surcharge on every corporation subject to Tax Law section 209, other than a New York S corporation, for the privilege of exercising the corporation's corporate franchise, or of doing business, or of employing capital, or of owning or leasing property in a corporate or organized capacity, or of maintaining an office, or of deriving receipts from activity in the metropolitan commuter transportation district, for all or any part of the corporation's taxable year. Tax Law section 209-B(1)(f) requires the Commissioner to adjust the rate of the metropolitan transportation business tax surcharge for taxable years beginning on or after January 1, 2016. The rate is to be adjusted as necessary to ensure that the receipts attributable to the surcharge will meet and not exceed the financial projections for each state fiscal year, as reflected in the enacted budget for that fiscal year.

2. Legislative objectives: New subdivision (f) of section 9-1.2 of Part 9 of 20 NYCRR complies with the mandate of section 209-B(1)(f), setting forth the rate for taxable years beginning on or after January 1, 2020 and before January 1, 2021 and follows subdivision (e), which set the rate for taxable years beginning on or after January 1, 2019 and before January 1, 2020. As required by section 209-B(1)(f), the Commissioner of Taxation and Finance has determined that the rate of the metropolitan transportation business tax surcharge will be 29.4 percent of the tax imposed under Tax Law section 209 for taxable years beginning on or after January 1, 2020 and before January 1, 2021. The previous rate established by regulation was 28.9 percent of the tax imposed under Tax Law section 209, for taxable years beginning on or after January 1, 2019 and before January 1, 2020.

3. Needs and benefits: This rule sets forth amendments to the Business Corporation Franchise Tax regulations required by Tax Law section 209-B(1)(f). This rule benefits taxpayers by putting in place the metropolitan transportation business tax surcharge effective January 1, 2020 for Tax Year 2021 and avoiding a gap in the effectiveness of the rule originally adopted as an emergency measure and proposed as a permanent rule on November 25, 2019.

4. Costs:

(a) Costs to regulated parties for the implementation and continuing compliance with this rule: There is no additional cost or burden to comply with this amendment. There is no additional time period needed for compliance.

(b) Costs to this agency, the State and local governments for the implementation and continuation of this rule: Since the need to make amendments to the New York State Business Corporation Franchise Tax regulations under Article 9-A of the Tax Law arises due to a statutory mandate that the Commissioner adjust the metropolitan transportation business tax surcharge, there are no costs to this agency or the State and local governments that are due to the promulgation of this rule.

(c) Information and methodology: This analysis is based on a review of the statutory requirements and on discussions among personnel from the Department's Taxpayer Guidance Division, Office of Counsel, Office of Tax Policy Analysis, Bureau of Tax and Fiscal Studies, Office of Budget and Management Analysis, Management Analysis and Project Services Bureau, and the Division of Budget.

5. Local government mandates: There are no costs or burdens imposed on local governments to comply with this amendment.

6. Paperwork: This rule will not require any new forms.

7. Duplication: This rule does not duplicate any other requirements.

8. Alternatives: Since section 209-B(1)(f) requires the Commissioner to adjust, under certain circumstances, the metropolitan transportation business tax surcharge, there are no viable alternatives to providing such rate using the methodology prescribed in Tax Law section 209-B.

9. Federal standards: This rule does not exceed any minimum standards of the federal government for the same or similar subject areas.

10. Compliance schedule: The required rate information has been made available to regulated parties, by means of the emergency adoption and re-adoption of new subdivision (f) of section 9-1.2 of Part 9 of the Business Corporation Franchise Tax regulations in sufficient time to implement the rate effective January 1, 2020 and avoid a gap in effectiveness between the expiration of the emergency rule and the effective date of the permanent rule. This rule establishes the rate for the 2020 tax year as an emergency measure and does not differ from the rule adopted as an emergency measure and proposed as a permanent rule on November 25, 2019.

Regulatory Flexibility Analysis

A Regulatory Flexibility Analysis for Small Businesses and Local Governments is not being submitted with this rule because it will not impose any adverse economic impact or any additional reporting, recordkeeping, or other compliance requirements on small businesses or local governments.

The purpose of the rule is to add a new subdivision (f) to section 9-1.2 of Part 9 of 20 NYCRR, to adjust the rate of the metropolitan transportation business tax surcharge for taxable years beginning on or after January 1, 2020 and before January 1, 2021, as required by Tax Law section 209-B(1)(f).

Tax Law section 209-B generally imposes a tax surcharge on every corporation subject to section 209 of the Tax Law, other than a New York S corporation, for the privilege of exercising the corporation's corporate franchise, or of doing business, or of employing capital, or of owning or leasing property in a corporate or organized capacity, or of maintaining an office, or of deriving receipts from activity in the metropolitan commuter transportation district, for all or any part of the corporation's taxable year.

The Commissioner is required, pursuant to Tax Law section 209-B(1)(f), to annually adjust the rate of the metropolitan transportation business tax surcharge for taxable years beginning on or after January 1, 2016. The rate is to be adjusted as necessary to ensure that the receipts attributable to the surcharge will meet and not exceed the financial projections for each state fiscal year, as reflected in the enacted budget for that fiscal year.

Subdivision (f) of section 9-1.2 of Part 9 complies with the mandate of Tax Law section 209-B(1)(f), setting forth the rate for taxable years beginning on or after January 1, 2020 and before January 1, 2021, and follows subdivision (e), which set the rate for taxable years beginning on or after January 1, 2019 and before January 1, 2020. As required by Tax Law section 209-B(1)(f), the Commissioner of Taxation and Finance has determined that the metropolitan transportation business tax surcharge rate will be 29.4 percent of the tax imposed under section 209 of the Tax Law for taxable years beginning on or after January 1, 2020 and before January 1, 2021.

Rural Area Flexibility Analysis

A Rural Area Flexibility Analysis is not being submitted with this rule because it will not impose any adverse impact on any rural areas. The purpose of the rule is to add a subdivision (f) to section 9-1.2 of Part 9 of 20 NYCRR, to adjust the rate of the metropolitan transportation business tax surcharge for taxable years beginning on or after January 1, 2020 and before January 1, 2021, pursuant to Tax Law section 209-B(1)(f).

Tax Law section 209-B generally imposes a tax surcharge on every corporation subject to Tax Law section 209, other than a New York S corporation, for the privilege of exercising the corporation's corporate franchise, or of doing business, or of employing capital, or of owning or leasing property in a corporate or organized capacity, or of maintaining an office, or of deriving receipts from activity in the metropolitan commuter transportation district, for all or any part of the corporation's taxable year.

The Commissioner is required, pursuant to Tax Law section 209-B(1)(f), to annually adjust the rate of the metropolitan transportation business tax surcharge for taxable years beginning on or after January 1, 2016. The rate is to be adjusted as necessary to ensure that the receipts attributable to the surcharge will meet and not exceed the financial projections for each state fiscal year, as reflected in the enacted budget for that fiscal year.

Subdivision (f) of Section 9-1.2 of Part 9 complies with the mandate of Tax Law section 209-B(1)(f), setting forth the rate for taxable years beginning on or after January 1, 2020 and before January 1, 2021 and follows subdivision (e), which set the rate for taxable years beginning on or after January 1, 2019 and before January 1, 2020. As required by section 209-B(1)(f), the Commissioner of Taxation and Finance has determined that the metropolitan transportation business tax surcharge rate will be 29.4 percent of the tax imposed under Tax Law section 209 for taxable years beginning on or after January 1, 2020 and before January 1, 2021.

Job Impact Statement

A Job Impact Statement is not being submitted with this rule because it is evident from the subject matter of the rule that the rule will have no adverse impact on jobs and employment opportunities. The purpose of the rule is to add a new subdivision (f) to section 9-1.2 of Part 9 of 20 NYCRR, to adjust the rate of the metropolitan transportation business tax surcharge for taxable years beginning on or after January 1, 2020 and before January 1, 2021, pursuant to section 209-B(1)(f) of the Tax Law.

Tax Law section 209-B generally imposes a tax surcharge on every corporation subject to Tax Law section 209, other than a New York S corporation, for the privilege of exercising the corporation's corporate franchise, or of doing business, or of employing capital, or of owning or leasing property in a corporate or organized capacity, or of maintaining an office, or of deriving receipts from activity in the metropolitan commuter transportation district, for all or any part of the corporation's taxable year.

The Commissioner is required, pursuant to Tax Law section 209-B(1)(f), to annually adjust the rate of the metropolitan transportation business tax surcharge for taxable years beginning on or after January 1, 2016. The rate is to be adjusted as necessary to ensure that the receipts attributable to the surcharge will meet and not exceed the financial projections for each state fiscal year, as reflected in the enacted budget for that fiscal year.

Subdivision (f) of section 9-1.2 of Part 9 complies with the mandate of Tax Law section 209-B(1)(f), setting forth the rate for taxable years beginning on or after January 1, 2020 and before January 1, 2021, and follows subdivision (e), which set the rate for taxable years beginning on or after January 1, 2019 and before January 1, 2020. As required by section 209-B(1)(f), the Commissioner of Taxation and Finance has determined that the metropolitan business tax surcharge rate will be 29.4 percent of the tax imposed under Tax Law section 209 for taxable years beginning on or after January 1, 2020 and before January 1, 2021.

This rule merely complies with the mandates of Tax Law section 209-B, as amended, by adding a new subdivision (f) to section 9-1.2 of Part 9 of 20 NYCRR, setting forth the rate for the metropolitan transportation tax surcharge for tax year 2019.

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Metropolitan Transportation Business Tax Surcharge

I.D. No. TAF-50-19-00003-A

Filing No. 145

Filing Date: 2020-02-20

Effective Date: 2020-03-11

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Addition of section 9-1.2(f) to Title 20 NYCRR.

Statutory authority: Tax Law, sections 171, subdivision First and 209-B, subdivision one; L. 2014, ch. 59, part A, section 7

Subject: Metropolitan Transportation Business Tax Surcharge.

Purpose: To provide metropolitan transportation business tax rate for tax year 2020.

Text or summary was published in the December 11, 2019 issue of the Register, I.D. No. TAF-50-19-00003-EP.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Kathleen D. Chase, Tax Regulations Specialist II, Department of Taxation and Finance, Building 9, W.A. Harriman Campus, Albany, NY 12227, (518) 530-4153, email: kathleen.chase@tax.ny.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2023, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

**HEARINGS SCHEDULED
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
Environmental Conservation, Department of		
ENV-05-20-00001-P	Use of ultra low sulfur diesel fuel and best available retrofit technology for heavy duty vehicles	Department of Environmental Conservation, 625 Broadway, Public Assembly Rm. 129A/B, Albany, NY—April 10, 2020, 11:00 a.m.
ENV-05-20-00002-P	Sulfur-in fuel limitations	Department of Environmental Conservation, 625 Broadway, Public Assembly Rm. 129A/B, Albany, NY—April 10, 2020, 11:00 a.m.
ENV-06-20-00018-P	Repeal and replacement of 6 NYCRR Part 230 gasoline dispensing sites and transport vehicles	Department of Environmental Conservation, 625 Broadway, Public Assembly Rm. 129A/B, Albany, NY—April 14, 2020, 11:00 a.m.
		Department of Transportation, One Hunter’s Point Plaza, 47-40 21st St., Rm. 834, Long Island City, NY—April 15, 2020, 11:00 a.m.
		Department of Environmental Conservation, 6274 Avon-Lima Rd., Rtes. 5 and 20, Conference Rm., Avon, NY—April 16, 2020, 11:00 a.m.
ENV-06-20-00019-P	Consumer products	Department of Environmental Conservation, 625 Broadway, Public Assembly Rm. 129A/B, Albany, NY—April 14, 2020, 11:00 a.m.
		Department of Transportation, One Hunter’s Point Plaza, 47-40 21st St., Rm. 834, Long Island City, NY—April 15, 2020, 11:00 a.m.
		Department of Environmental Conservation, 6274 Avon-Lima Rd., Rtes. 5 and 20, Conference Rm., Avon, NY—April 16, 2020, 11:00 a.m.
ENV-06-20-00020-P	New source review requirements for proposed new major facilities and major modifications to existing facilities	Department of Environmental Conservation, 625 Broadway, Public Assembly Rm. 129A/B, Albany, NY—April 14, 2020, 11:00 a.m.
		Department of Transportation, One Hunter’s Point Plaza, 47-40 21st St., Rm. 834, Long Island City, NY—April 15, 2020, 11:00 a.m.
		Department of Environmental Conservation, 6274 Avon-Lima Rd., Rtes. 5 and 20, Conference Rm., Avon, NY—April 16, 2020, 11:00 a.m.
Long Island Power Authority		
LPA-09-20-00009-P	LIPA’s tariff for buy-back service (Service Classification No. 11)	Rose Caracappa Auditorium, William H Rogers Bldg. #20, 725 Veterans Memorial Hwy., Smithtown, NY—May 4, 2020, 10:00 a.m.
		Long Island Power Authority, 333 Earle Ovington Blvd., Uniondale, NY—May 4, 2020, 2:00 p.m.
LPA-09-20-00010-P	To update and implement latest requirements for ESCOs proposing to do business within the authority’s service territory	Rose Caracappa Auditorium, William H Rogers Bldg. #20, 725 Veterans Memorial Hwy., Smithtown, NY—May 4, 2020, 10:00 a.m.
		Long Island Power Authority, 333 Earle Ovington Blvd., Uniondale, NY—May 4, 2020, 2:00 p.m.
LPA-09-20-00011-P	The modification of service classification No. 13 - Negotiated Contracts	Rose Caracappa Auditorium, William H Rogers Bldg. #20, 725 Veterans Memorial Hwy., Smithtown, NY—May 4, 2020, 10:00 a.m.
		Long Island Power Authority, 333 Earle Ovington Blvd., Uniondale, NY—May 4, 2020, 2:00 p.m.

LPA-09-20-000012-P	The smart grid small generator interconnection procedures	Rose Caracappa Auditorium, William H Rogers Bldg. #20, 725 Veterans Memorial Hwy., Smithtown, NY—May 4, 2020, 10:00 a.m.
		Long Island Power Authority, 333 Earle Ovington Blvd., Uniondale, NY—May 4, 2020, 2:00 p.m.
LPA-09-20-000013-P	The Long Island choice provisions of the authority's tariff	Rose Caracappa Auditorium, William H Rogers Bldg. #20, 725 Veterans Memorial Hwy., Smithtown, NY—May 4, 2020, 10:00 a.m.
		Long Island Power Authority, 333 Earle Ovington Blvd., Uniondale, NY—May 4, 2020, 2:00 p.m.

ACTION PENDING INDEX

The action pending index is a list of all proposed rules which are currently being considered for adoption. A proposed rule is added to the index when the notice of proposed rule making is first published in the *Register*. A proposed rule is removed from the index when any of the following occur: (1) the proposal is adopted as a permanent rule; (2) the proposal is rejected and withdrawn from consideration; or (3) the proposal's notice expires.

Most notices expire in approximately 12 months if the agency does not adopt or reject the proposal within that time. The expiration date is printed in the second column of the action pending index. Some notices, however, never expire. Those notices are identified by the word "exempt" in the second column. Actions pending for one year or more are preceded by an asterisk(*).

For additional information concerning any of the proposals

listed in the action pending index, use the identification number to locate the text of the original notice of proposed rule making. The identification number contains a code which identifies the agency, the issue of the *Register* in which the notice was printed, the year in which the notice was printed and the notice's serial number. The following diagram shows how to read identification number codes.

Agency code	Issue number	Year published	Serial number	Action Code
AAM	01	12	0001	P

Action codes: P — proposed rule making; EP — emergency and proposed rule making (expiration date refers to proposed rule); RP — revised rule making

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
AGING, OFFICE FOR THE			
AGE-34-19-00014-P	08/20/20	Limits on Administrative Expenses and Executive Compensation	To bring this rule into compliance with current law in New York State
ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF			
ASA-10-20-00002-P	03/11/21	Credentialing of addiction professionals	Outlines the regulatory requirements for persons seeking credentialing as an addiction professional
AUDIT AND CONTROL, DEPARTMENT OF			
AAC-07-20-00012-P	02/18/21	Approval of contracts made by MTA and the NYCTA	Modify existing time frames for the approval of MTA and NYCTA contracts to conform with the MTA Reform and Traffic Mobility Act
BRIDGE AUTHORITY, NEW YORK STATE			
SBA-01-20-00004-P	exempt	A proposal to amend the NYS Bridge Authority Toll Schedule.	To amend toll schedule for vehicular bridges controlled by the NYS Bridge Authority in order to provide additional revenue.
SBA-01-20-00005-P	03/09/21	Toll collection and violations.	To amend toll collection procedures and implement toll violation enforcement on NYSBA bridges.
CHILDREN AND FAMILY SERVICES, OFFICE OF			
*CFS-51-18-00010-RP	03/18/20	Residential and non-residential services to victims of domestic violence	To conform the existing regulations to comply with state and federal laws regarding services to victims of domestic violence
CFS-39-19-00005-ERP	09/24/20	Implement federal statutory requirements to include enhanced background checks, annual inspections, annual training and safety	Implement federal statutory requirements to include enhanced background checks, annual inspections, annual training and safety

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CHILDREN AND FAMILY SERVICES, OFFICE OF			
CFS-39-19-00007-ERP	09/24/20	Implement statutory requirements to include enhanced background checks, annual inspections, annual training and safety.	Implement statutory requirements to include enhanced background checks, annual inspections, annual training and safety.
CFS-42-19-00002-P	10/15/20	Permissible disclosure of records maintained by OCFS.	To amend existing regulations regarding the permissible disclosure of records by OCFS.
CFS-46-19-00002-P	11/12/20	Behavioral health services, elimination of room isolation and authority to operate de-escalation rooms	To implement standards for behavioral health services and the operation of de-escalation rooms and to eliminate room isolation
CFS-49-19-00001-P	12/03/20	Limits on executive compensation	To remove the soft cap limit on executive compensation
CFS-04-20-00009-P	01/28/21	Host Family Homes	The proposed regulations would establish standards for the approval and administration of host family homes.
CFS-06-20-00021-EP	02/11/21	Categories of relatives eligible to become a foster parent of a child in non-relative foster care.	Regulations are necessary to comply with legislative changes to Family Court Act section 1028-a by Ch. 434 of L. 2019.
CIVIL SERVICE, DEPARTMENT OF			
CVS-25-19-00006-P	06/18/20	Jurisdictional Classification	To classify positions in the non-competitive class.
CVS-34-19-00011-P	08/20/20	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-42-19-00010-P	10/15/20	Jurisdictional Classification	To classify positions in the exempt class
CVS-42-19-00014-P	10/15/20	Jurisdictional Classification	To classify a position in the exempt class
CVS-42-19-00020-P	10/15/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-42-19-00021-P	10/15/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-42-19-00023-P	10/15/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-42-19-00024-P	10/15/20	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-45-19-00003-P	11/05/20	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-45-19-00004-P	11/05/20	Jurisdictional Classification	To classify a position in the exempt class
CVS-45-19-00005-P	11/05/20	Jurisdictional Classification	To delete positions from and classify a position in the non-competitive class
CVS-45-19-00006-P	11/05/20	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-45-19-00007-P	11/05/20	Jurisdictional Classification	To delete a position from and classify a position in the exempt class and to delete positions from the non-competitive class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-45-19-00009-P	11/05/20	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-51-19-00002-P	12/17/20	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-51-19-00003-P	12/17/20	Jurisdictional Classification	To classify a position in the exempt class
CVS-51-19-00004-P	12/17/20	Jurisdictional Classification	To classify positions in the exempt class
CVS-51-19-00005-P	12/17/20	Jurisdictional Classification	To classify positions in the exempt class
CVS-51-19-00006-P	12/17/20	Jurisdictional Classification	To classify positions in the exempt class
CVS-51-19-00007-P	12/17/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-51-19-00008-P	12/17/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-51-19-00009-P	12/17/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-51-19-00010-P	12/17/20	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-51-19-00011-P	12/17/20	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-51-19-00012-P	12/17/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-51-19-00013-P	12/17/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-51-19-00014-P	12/17/20	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-03-20-00003-P	01/21/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-03-20-00004-P	01/21/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-03-20-00005-P	01/21/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-03-20-00006-P	01/21/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-03-20-00007-P	01/21/21	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-06-20-00001-P	02/11/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-06-20-00002-P	02/11/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-06-20-00003-P	02/11/21	Jurisdictional Classification	To classify positions in the non-competitive class

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-06-20-00004-P	02/11/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-06-20-00005-P	02/11/21	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-06-20-00006-P	02/11/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-06-20-00007-P	02/11/21	Jurisdictional Classification	To delete a position from and classify a position in the exempt class and to delete positions from the non-competitive class
CVS-06-20-00008-P	02/11/21	Jurisdictional Classification	To delete a subheading and positions from and to classify a subheading and positions in the exempt and non-competitive classes
CORRECTION, STATE COMMISSION OF			
CMC-35-19-00002-P	08/27/20	Disciplinary and administrative segregation of inmates in special housing.	Prohibit the segregation of vulnerable inmates, and to standardize allowable uses and duration of special housing segregation.
CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF			
CCS-21-19-00014-P	05/21/20	Adolescent Offender Facilities	To reclassify two existing correctional facilities to adolescent offender facilities.
CCS-35-19-00001-P	08/27/20	Special Housing Units	Revisions have been made in order to be in compliance with new laws regarding special housing units and solitary confinement use
CCS-50-19-00002-P	12/10/20	Raise the Age	To update each correctional facility's regulation as a direct result of the Raise the Age legislation
CRIMINAL JUSTICE SERVICES, DIVISION OF			
CJS-20-19-00003-P	05/14/20	Certified Instructors and Course Directors	Establish/maintain effective procedures governing certified instructors and course directors who deliver MPTC-approved courses
CJS-30-19-00010-ERP	07/23/20	Use of Force	Set forth use of force reporting and recordkeeping procedures
ECONOMIC DEVELOPMENT, DEPARTMENT OF			
EDV-09-20-00007-P	03/04/21	Minority and Women-Owned Business Enterprise Program	Update the regulations of the Division of Minority and Women's Business Development
EDV-10-20-00001-P	03/11/21	Empire state entertainment diversity job training development program	To implement the administrative processes for the entertainment diversity job training development program

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
EDU-17-19-00008-P	04/23/20	To require study in language acquisition and literacy development of English language learners in certain teacher preparation	To ensure that newly certified teachers enter the workforce fully prepared to serve our ELL population
EDU-27-19-00010-P	07/02/20	Substantially Equivalent Instruction for Nonpublic School Students	Provide guidance to local school authorities to assist them in fulfilling their responsibilities under the Compulsory Ed Law
EDU-39-19-00008-ERP	09/24/20	The Education, Experience, Examination and Endorsement Requirements for Licensure as an Architect	To more closely align New York's requirements for architects with national standards and to streamline the endorsement process.
EDU-39-19-00009-RP	09/24/20	Requirements for Licensure as an Architect	To more closely align the Commissioner's Regulations with national standards for licensure as an architect.
EDU-43-19-00012-ERP	10/22/20	Annual Professional Performance Reviews of Classroom Teachers and Building Principals	Necessary to implement part YYY of chapter 59 of the Laws of 2019
EDU-52-19-00007-P	12/23/20	Update Provisions Relating to Pupil Transportation	To update provisions of the Commissioner's Regulations relating to pupil transportation
EDU-52-19-00008-EP	12/23/20	Restricted License for Clinical Laboratory Technologist	Implement chapter 227 of 2019 by adding toxicology to the category of restricted licenses for clinical laboratory technologists
EDU-52-19-00009-EP	12/23/20	Continuing Education in the Profession of Public Accountancy	Implement the provisions of chapter 413 of the Laws of 2018
EDU-52-19-00010-EP	12/23/20	Duties and responsibilities of the counsel of the State Education Department	To designate counsel as the deputy commissioner of education as specified in Education Law, section 101
EDU-04-20-00005-P	01/28/21	Residency Program Requirement for Dental Licensure	Adds dental anesthesiology to the list of accredited residency programs in a specialty of dentistry.
EDU-04-20-00006-P	01/28/21	Financial Transparency and Data Reporting Requirements for Charter Schools	To establish criteria and procedures relating to charter financial transparency reporting to ensure compliance with ESSA.
EDU-04-20-00007-P	01/28/21	Time Extension of Initial, Transitional and Provisional Certificates	To provide educators with a Time Extension after the issuance of their first Initial or Provisional certificate.
EDU-04-20-00008-EP	01/28/21	ESSA Financial Transparency Reporting Requirements.	To implement financial transparency reporting requirements of ESSA.
EDU-08-20-00007-P	02/25/21	The Practice of Psychology, Social Work and Mental Health Practitioner Professions	To implement part Y of chapter 57 of the laws of 2018
EDU-08-20-00008-P	02/25/21	The Composition of the Professional Standards and Practices Board for Teaching (PSPB)	To require the PSPB to have at least four members who are practicing, certified school building or district administrator
EDU-08-20-00009-P	02/25/21	Term Limits for Members of the Advisory Committee on Long-Term Clinical Clerkships	To remove the two term limit for committee members to most effectively advise the Board of Regents and the Department

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ELECTIONS, STATE BOARD OF			
SBE-22-19-00003-EP	05/28/20	Process for Early Voting	Establishing Process for Early Voting
SBE-02-20-00002-P	01/14/21	Combine the 10 Day Post Primary Filing with the July 15th disclosure statement	This amendment combines the 10 Day Post Primary Filing with the July 15th disclosure statement that political committees file
ELECTRIC GENERATION SITING AND THE ENVIRONMENT, NEW YORK STATE BOARD ON			
EGS-09-20-00001-EP	03/04/21	Regulations Implementing Article 10 of the Public Service Law - Definitions.	To amend the regulatory definitions of "modification" and "revision" of an Article 10 application for a CECPN.
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
ENV-18-19-00006-EP	04/30/20	Regulations governing commercial fishing and harvest of scup.	To revise regulations concerning the commercial harvest of scup in New York State waters.
ENV-27-19-00003-P	07/02/20	Black Bear hunting.	Expand bear hunting opportunities in Wildlife Management Unit 4W to reduce bear abundance.
ENV-36-19-00001-P	11/07/20	Waste Fuels	Update permit references, rule citations, monitoring, record keeping, reporting requirements, and incorporate federal standards.
ENV-36-19-00003-P	11/07/20	Stationary Combustion Installations	Update permit references, rule citations, monitoring, record keeping, reporting requirements, and lower emission standards.
ENV-37-19-00003-P	09/10/20	Clarifying determination of jurisdiction under the Endangered and Threatened Fish and Wildlife regulations	To improve the review of projects by removing some project types that are known not to cause harm from the review stream
ENV-38-19-00001-P	09/17/20	Animals dangerous to health or welfare	To expand the list of animals which pose a risk to health or welfare of the people of the state or indigenous fish and wildlife
ENV-43-19-00006-P	01/07/21	Class I and Class SD waters	To clarify best usages of Class I and SD waters were/are "secondary contact recreation and fishing" and "fishing," respectively
ENV-43-19-00010-P	01/06/21	Repeal and replace 6 NYCRR Part 622 and amend 6 NYCRR Part 624, Part 621 and Part 620	To incorporate procedural and legal developments, develop consistency & reflect current practice in DEC hearings
ENV-53-19-00016-P	03/09/21	Certain substances that contain hydrofluorocarbons, highly-potent greenhouse gases	Remove greenhouse gas emission sources that endanger public health and the environment
ENV-04-20-00004-EP	01/28/21	Regulations governing commercial fishing of quota managed species.	To improve efficiency, reduce waste, and increase safety in marine commercial fisheries.
ENV-05-20-00001-P	04/10/21	Use of Ultra Low Sulfur Diesel Fuel and Best Available Retrofit Technology for Heavy Duty Vehicles	Updating to meet with statutory deadline
ENV-05-20-00002-P	04/10/21	Sulfur-in Fuel Limitations	Limit sulfur in liquid and solid fuels throughout NYS

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
ENV-06-20-00018-P	04/16/21	The repeal and replacement of 6 NYCRR Part 230 Gasoline Dispensing Sites and Transport Vehicles	To further reduce harmful volatile organic compounds (VOCs) emitted into the atmosphere.
ENV-06-20-00019-P	04/16/21	Consumer Products	Reduce Volatile Organic Compound emissions from Consumer Products - those products used in the average household.
ENV-06-20-00020-P	04/16/21	New Source Review requirements for proposed new major facilities and major modifications to existing facilities.	To conform to federal NSR rule requirements and related court rulings, correct typographical errors, and clarify rule language.
FINANCIAL SERVICES, DEPARTMENT OF			
*DFS-17-16-00003-P	exempt	Plan of Conversion by Commercial Travelers Mutual Insurance Company	To convert a mutual accident and health insurance company to a stock accident and health insurance company
*DFS-25-18-00006-P	exempt	Plan of Conversion by Medical Liability Mutual Insurance Company	To convert a mutual property and casualty insurance company to a stock property and casualty insurance company
DFS-33-19-00004-P	08/13/20	Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards for Full and Fair Disclosure	To set forth minimum standards for the content of health insurance identification cards.
DFS-43-19-00017-P	10/22/20	INDEPENDENT DISPUTE RESOLUTION FOR EMERGENCY SERVICES AND SURPRISE BILLS	To require notices and consumer disclosure information related to surprise bills and bills for emergency service to be provided
DFS-48-19-00002-P	11/26/20	SUPERINTENDENT'S REGULATIONS: INFORMATION SUBJECT TO CONFIDENTIAL TREATMENT	Provide rules concerning publication or disclosure of information subject to confidential treatment
DFS-51-19-00015-P	12/17/20	Minimum Standards for Form, Content and Sale of Health Insurance, Including Standards of Full and Fair Disclosure	Clarifying discriminatory activities prohibited by and coverages included within preventive care and screenings under the IL
DFS-53-19-00013-EP	12/30/20	Rules Governing the Procedures for Adjudicatory Proceedings Before the Department of Financial Services	To unify and clarify the procedures for adjudicatory proceedings before the Department of Financial Services
DFS-53-19-00014-EP	12/30/20	Charges for Professional Health Services	To delay the effective date of the workers' compensation fee schedules for no-fault reimbursement.
DFS-53-19-00015-EP	12/30/20	Supplementary Uninsured/Underinsured Motorist Coverage	To comport with statutory amendments to Chapter 59, Part III of the Laws of 2019 and Insurance Law Section 3420(f)
DFS-01-20-00002-P	01/07/21	Certification of Compliance, Due Date	To amend the date by which Covered Entities must submit a certification of compliance, from February to April.
DFS-03-20-00011-EP	01/21/21	Valuation of Life Insurance Reserves; Recognition of the 2001 CSO Mortality Table and the 2017 CSO Mortality Table, et al	Prescribes 2001 CSO ultimate mortality for guaranteed issue policies issued on or after 1/1/20 and extends 2015 reserve relief
DFS-07-20-00015-P	02/18/21	Audited Financial Statements	To require insurers meeting a certain premium threshold to establish and maintain an internal audit function.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
FINANCIAL SERVICES, DEPARTMENT OF			
DFS-08-20-00011-P	02/25/21	Public Access to Department Records	To update regulations regarding public access to records of the Department of Financial Services
DFS-09-20-00008-P	03/04/21	Enterprise Risk Management and Own Risk and Solvency Assessment; Group-Wide Supervision	To authorize the Superintendent to act as the group-wide supervisor for an internationally active insurance groups
GAMING COMMISSION, NEW YORK STATE			
SGC-01-20-00006-P	01/07/21	Permit Thoroughbred horses with digital tattoos to race in New York	To promote the integrity of racing and derive a reasonable return for government
SGC-07-20-00002-P	02/18/21	Allow claimant to void claim of lame horse	To enhance horse health and safety in thoroughbred racing
SGC-07-20-00003-P	02/18/21	Spanish 21, a blackjack variant to be offered in commercial casinos.	To set forth the practices and procedures for the operation of Spanish 21 as a casino table game.
SGC-07-20-00004-P	02/18/21	Relating to the provision of social security numbers.	Limit collection of social security numbers.
SGC-07-20-00014-P	02/18/21	Thoroughbred pick-five and pick-six wagers.	To improve the pick-five and pick-six wagers in thoroughbred racing.
GENERAL SERVICES, OFFICE OF			
GNS-40-19-00005-P	10/01/20	Facility Use	To add "plastic knuckles" and remove "gravity knife" from the definition of "deadly weapon"
HEALTH, DEPARTMENT OF			
*HLT-14-94-00006-P	exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services
HLT-30-19-00006-RP	07/23/20	Maximum Contaminant Levels (MCLs)	Incorporating MCLs for perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS) and 1,4-dioxane.
HLT-36-19-00006-P	09/03/20	Limits on Executive Compensation	Removes "Soft Cap" prohibition on covered executive salaries.
HLT-40-19-00004-P	10/01/20	Drug Take Back	To implement the State's drug take back program to provide for the safe disposal of drugs
HLT-43-19-00005-P	10/22/20	Transitional Adult Home Admission Standards for Individuals with Serious Mental Illness	Delineate a clear pre-admissions process for determining whether a prospective resident is a person with serious mental illness
HLT-46-19-00003-P	11/12/20	Tanning Facilities	To prohibit the use of indoor tanning facilities by individuals less than 18 years of age
HLT-47-19-00008-P	11/19/20	Hospital Medical Staff - Limited Permit Holders	To repeal extra years of training required for limited permit holders to work in New York State hospitals.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
HLT-47-19-00009-P	11/19/20	Empire Clinical Research Investigator Program (ECRIP)	To expand the types of & change the time frames for past research grants that qualify staff to supervise the ECRIP project.
HLT-48-19-00003-EP	11/26/20	Secondary Syringe Exchange in New York State	To reduce the spread of blood-borne pathogens, to reduce or eliminate other harms associated with contaminated syringes
HLT-51-19-00001-P	12/17/20	Women, Infants and Children (WIC) Program	To support implementation of eWIC; clarify rules for violations, penalties & hearings & conform vendor authorization criteria.
HLT-53-19-00001-P	12/30/20	Prohibition on the Sale of Electronic Liquids with Characterizing Flavors	To prohibit the sale of electronic liquids with characterizing flavors
HLT-53-19-00011-P	12/30/20	Cardiac Services	To amend existing Certificate of Need requirements for approval of adult cardiac surgery centers.
HLT-53-19-00012-P	12/30/20	Consumer Directed Personal Assistance Program Reimbursement	To establish a program to pay home care services & establish a methodology framework for the payment of FI administrative costs.
HLT-04-20-00002-P	01/28/21	Reducing Annual Tuberculosis Testing of Health Care Workers	To replace annual tuberculosis testing of health care workers.
HLT-04-20-00003-P	01/28/21	Applied Behavior Analysis	To include Applied Behavior Analysis in the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) benefit.
HLT-04-20-00011-P	01/28/21	Nursing Home Case Mix Rationalization	To authorize the Department of Health to change the case mix acuity process for all nursing homes.
HLT-04-20-00012-P	01/28/21	State Aid for Public Health Services: Counties and Cities	Clarifying State Aid payments for maintaining a cooling tower program.
HLT-08-20-00001-EP	02/25/21	Communicable Diseases Reporting and Control - Adding Severe or Novel Coronavirus	To require physicians, hospitals, nursing homes, D&TCs and clinical laboratories to report instances of severe or novel coronavirus
HOUSING AND COMMUNITY RENEWAL, DIVISION OF			
HCR-21-19-00019-P	07/21/20	Low-Income Housing Qualified Allocation Plan	To amend definitions, threshold criteria and application scoring for the allocation o flow-income housing tax credits.
HOUSING FINANCE AGENCY			
HFA-21-19-00020-P	07/21/20	Low-Income Housing Qualified Allocation Plan	To amend definitions, threshold criteria and application scoring for the allocation of low-income housing tax credits
HUMAN RIGHTS, DIVISION OF			
HRT-27-19-00002-P	07/02/20	Gender Identity or Expression Discrimination	To conform the Division's regulations with Executive Law as amended by Chapter 8 of the Laws of New York 2019.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LABOR, DEPARTMENT OF			
LAB-46-19-00004-P	11/12/20	NY State Public Employees Occupational Safety and Health Standards	To incorporate by reference updates to OSHA standards into the NY State Public Employee Occupational Safety and Health Standards
LAB-03-20-00012-P	01/21/21	Minimum Wage Tip Allowances	Amendment of regulations governing tip allowances in the Miscellaneous Industries Wage Order
LONG ISLAND POWER AUTHORITY			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
*LPA-15-18-00013-P	exempt	Outdoor area lighting	To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting
*LPA-37-18-00013-P	exempt	The net energy metering provisions of the Authority's Tariff for Electric Service	To implement PSC guidance increasing eligibility for value stack compensation to larger projects
*LPA-37-18-00017-P	exempt	The treatment of electric vehicle charging in the Authority's Tariff for Electric Service.	To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment.
*LPA-37-18-00018-P	exempt	The treatment of energy storage in the Authority's Tariff for Electric Service.	To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap.
LPA-47-19-00017-P	exempt	VDER, net metering, and community distributed generation	To update the Authority's tariff for consistency with the Public Service Commission, Department of Public Service, and CLCPA.
LPA-09-20-00009-P	exempt	LIPA's Tariff for Buy-Back Service (Service Classification No. 11)	To add a new Feed-In Tariff to supply the newly proposed Solar Communities program
LPA-09-20-00010-P	exempt	To update and implement latest requirements for ESCOs proposing to do business within the Authority's service territory.	To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets.
LPA-09-20-00011-P	exempt	The modification of Service Classification No. 13 - Negotiated Contracts	To update the Authority's Tariff and authorize a negotiated contract with the Suffolk County Department of Public Works
LPA-09-20-00012-P	exempt	The Smart Grid Small Generator Interconnection Procedures	To be consistent with the New York State Standardized Interconnection Requirements
LPA-09-20-00013-P	exempt	The Long Island Choice provisions of the Authority's Tariff.	To enable CCA formation within the Long Island Choice Program.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
MENTAL HEALTH, OFFICE OF			
OMH-46-19-00005-P	11/12/20	Definition of "Case record, clinical record, medical record or patient record"	To clarify that the agency does not consider the provision to apply to the definition of "record" as set forth in MHL 9.01
OMH-47-19-00001-P	11/19/20	Limits on Executive Compensation	To eliminate "soft cap" restrictions on compensation.
METROPOLITAN TRANSPORTATION AGENCY			
MTA-23-19-00006-EP	06/04/20	Debarment of contractors	To comply with Public Authorities Law, section 1279-h, which requires the MTA to establish a debarment process for contractors
MOTOR VEHICLES, DEPARTMENT OF			
MTV-07-20-00005-P	02/18/21	Electronic transmission of data by dismantlers and scrap processors	To establish procedures for the electronic transmission of data by dismantlers and scrap processors
NIAGARA FALLS WATER BOARD			
*NFW-04-13-00004-EP	exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*NFW-13-14-00006-EP	exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
OGDENSBURG BRIDGE AND PORT AUTHORITY			
*OBA-33-18-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit.
*OBA-07-19-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR			
PDD-06-20-00009-EP	02/11/21	Creates Extended Treatment Units	To provide service and supports for individuals in crisis
POWER AUTHORITY OF THE STATE OF NEW YORK			
*PAS-01-10-00010-P	exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
PUBLIC SERVICE COMMISSION			
*PSC-09-99-00012-P	exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-15-99-00011-P	..... exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	..... exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-44-01-00005-P	..... exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs
*PSC-07-02-00032-P	..... exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	..... exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-40-03-00015-P	..... exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-44-03-00009-P	..... exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-02-04-00008-P	..... exempt	Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York	To rehear the Nov. 25, 2003 order
*PSC-06-04-00009-P	..... exempt	Transfer of ownership interest by SCS Energy LLC and AE Investors LLC	To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC
*PSC-10-04-00005-P	..... exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters

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PUBLIC SERVICE COMMISSION			
*PSC-25-04-00012-P exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts receivable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts receivable
*PSC-46-04-00012-P	..... exempt	Service application form by Consolidated Edison Company of New York, Inc.	To revise the form and make housekeeping changes
*PSC-46-04-00013-P	..... exempt	Rules and guidelines governing installation of metering equipment	To establish uniform statewide business practices
*PSC-02-05-00006-P	..... exempt	Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.	To consider imposing remedial actions against the company and its owners, officers and directors
*PSC-09-05-00009-P	..... exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	..... exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year
*PSC-18-05-00009-P	..... exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	..... exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11
*PSC-27-05-00018-P	..... exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	..... exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*PSC-21-07-00007-P	..... exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	..... exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue
*PSC-23-07-00022-P	..... exempt	Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation	To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity
*PSC-24-07-00012-P	..... exempt	Gas Efficiency Program by the City of New York	To consider rehearing a decision establishing a Gas Efficiency Program
*PSC-39-07-00017-P	..... exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	..... exempt	Submetering of electricity rehearing	To seek reversal
*PSC-42-07-00012-P	..... exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*PSC-45-07-00005-P exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision

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PUBLIC SERVICE COMMISSION			
*PSC-02-08-00006-P exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-03-08-00006-P	..... exempt	Rehearing of the accounting determinations	To grant or deny a petition for rehearing of the accounting determinations
*PSC-04-08-00010-P	..... exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P	..... exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies
*PSC-08-08-00016-P	..... exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	..... exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*PSC-23-08-00008-P	..... exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-25-08-00007-P	..... exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-39-08-00010-P	..... exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	..... exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*PSC-41-08-00009-P	..... exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved
*PSC-43-08-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	..... exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	..... exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	..... exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	..... exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*PSC-48-08-00008-P	..... exempt	Petition for the master metering and submetering of electricity	To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York
*PSC-48-08-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York
*PSC-50-08-00018-P	..... exempt	Market Supply Charge	A study on the implementation of a revised Market Supply Charge
*PSC-51-08-00006-P	..... exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458
*PSC-51-08-00007-P	..... exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	..... exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	..... exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY
*PSC-53-08-00013-P	..... exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership
*PSC-01-09-00015-P exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area

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PUBLIC SERVICE COMMISSION			
*PSC-02-09-00010-P exempt	Competitive classification of independent local exchange company, and regulatory relief appropriate thereto	To determine if Chazy & Westport Telephone Corporation more appropriately belongs in scenario 1 rather than scenario 2
*PSC-05-09-00008-P	..... exempt	Revenue allocation, rate design, performance metrics, and other non-revenue requirement issues	To consider any remaining non-revenue requirement issues related to the Company's May 9, 2008 tariff filing
*PSC-05-09-00009-P	..... exempt	Numerous decisions involving the steam system including cost allocation, energy efficiency and capital projects	To consider the long term impacts on steam rates and on public policy of various options concerning the steam system
*PSC-06-09-00007-P	..... exempt	Interconnection of the networks between Frontier Comm. and WVT Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier Comm. and WVT Comm.
*PSC-07-09-00015-P	..... exempt	Transfer certain utility assets located in the Town of Montgomery from plant held for future use to non-utility property	To consider the request to transfer certain utility assets located in the Town of Montgomery to non-utility assets
*PSC-07-09-00017-P	..... exempt	Request for authorization to defer the incremental costs incurred in the restoration work resulting from the ice storm	To allow the company to defer the incremental costs incurred in the restoration work resulting from the ice storm
*PSC-07-09-00018-P	..... exempt	Whether to permit the submetering of natural gas service to an industrial and commercial customer at Cooper Union, New York, NY	To consider the request of Cooper Union, to submeter natural gas at 41 Cooper Square, New York, New York
*PSC-12-09-00010-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-12-09-00012-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-13-09-00008-P	..... exempt	Options for making additional central office codes available in the 718/347 numbering plan area	To consider options for making additional central office codes available in the 718/347 numbering plan area
*PSC-14-09-00014-P	..... exempt	The regulation of revenue requirements for municipal utilities by the Public Service Commission	To determine whether the regulation of revenue requirements for municipal utilities should be modified
*PSC-16-09-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of AMPS on behalf of Park Imperial to submeter electricity at 230 W. 56th Street, in New York, New York
*PSC-16-09-00020-P	..... exempt	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity
*PSC-17-09-00010-P	..... exempt	Whether to permit the use of Elster REX2 solid state electric meter for use in residential and commercial accounts	To permit electric utilities in New York State to use the Elster REX2
*PSC-17-09-00011-P	..... exempt	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes
*PSC-17-09-00012-P	..... exempt	Petition for the submetering of gas at commercial property	To consider the request of Turner Construction, to submeter natural gas at 550 Short Ave., & 10 South St., Governors Island, NY

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-17-09-00014-P	..... exempt	Benefit-cost framework for evaluating AMI programs prepared by the DPS Staff	To consider a benefit-cost framework for evaluating AMI programs prepared by the DPS Staff
*PSC-17-09-00015-P	..... exempt	The construction of a tower for wireless antennas on land owned by National Grid	To approve, reject or modify the petition to build a tower for wireless antennas in the Town of Onondaga
*PSC-18-09-00012-P	..... exempt	Petition for rehearing of Order approving the submetering of electricity	To consider the request of Frank Signore to rehear petition to submeter electricity at One City Place in White Plains, New York
*PSC-18-09-00013-P	..... exempt	Petition for the submetering of electricity	To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York
*PSC-18-09-00017-P	..... exempt	Approval of an arrangement for attachment of wireless antennas to the utility's transmission facilities in the City of Yonkers	To approve, reject or modify the petition for the existing wireless antenna attachment to the utility's transmission tower
*PSC-20-09-00016-P	..... exempt	The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc	To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with it's AMI pilots etc
*PSC-20-09-00017-P	..... exempt	The recovery of, and accounting for, costs associated with CHG&E's AMI pilot program	To consider a filing of CHG&E as to the recovery of, and accounting for, costs associated with it's AMI pilot program
*PSC-22-09-00011-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-25-09-00005-P	..... exempt	Whether to grant, deny, or modify, in whole or in part, the petition	Whether to grant, deny, or modify, in whole or in part, the petition
*PSC-25-09-00006-P	..... exempt	Electric utility implementation plans for proposed web based SIR application process and project status database	To determine if the proposed web based SIR systems are adequate and meet requirements needed for implementation
*PSC-25-09-00007-P	..... exempt	Electric rates for Consolidated Edison Company of New York, Inc	Consider a Petition for Rehearing filed by Consolidated Edison Company of New York, Inc
*PSC-27-09-00011-P	..... exempt	Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access.	To review the terms and conditions of the negotiated agreement between Vernon and tw telecom of new york l.p.
*PSC-27-09-00014-P	..... exempt	Billing and payment for energy efficiency measures through utility bill	To promote energy conservation
*PSC-27-09-00015-P	..... exempt	Interconnection of the networks between Oriskany and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Oriskany and tw telecom of new york l.p.
*PSC-29-09-00011-P	..... exempt	Consideration of utility compliance filings	Consideration of utility compliance filings
*PSC-32-09-00009-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-34-09-00016-P	..... exempt	Recommendations made in the Management Audit Final Report	To consider whether to take action or recommendations contained in the Management Audit Final Report
*PSC-34-09-00017-P	..... exempt	To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC	To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC
*PSC-36-09-00008-P	..... exempt	The increase in the non-bypassable charge implemented by RG&E on June 1, 2009	Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009
*PSC-37-09-00015-P	..... exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	..... exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*PSC-39-09-00015-P	..... exempt	Modifications to the \$5 Bill Credit Program	Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program
*PSC-39-09-00018-P	..... exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	..... exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs
*PSC-51-09-00029-P	..... exempt	Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs	To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period
*PSC-51-09-00030-P	..... exempt	Waiver or modification of Capital Expenditure condition of merger	To allow the companies to expend less funds for capital improvement than required by the merger
*PSC-52-09-00006-P	..... exempt	ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology	To consider whether to change the Order Prescribing Study Methodology
*PSC-52-09-00008-P	..... exempt	Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to \$50,000,000	To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities
*PSC-05-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of University Residences - Rochester, LLC to submeter electricity at 220 John Street, Henrietta, NY
*PSC-05-10-00015-P	..... exempt	Petition for the submetering of electricity	To consider the request of 243 West End Avenue Owners Corp. to submeter electricity at 243 West End Avenue, New York, NY
*PSC-06-10-00022-P	..... exempt	The Commission's Order of December 17, 2009 related to redevelopment of Consolidated Edison's Hudson Avenue generating facility	To reconsider the Commission's Order of December 17, 2009 related to redevelopment of the Hudson Avenue generating facility
*PSC-07-10-00009-P	..... exempt	Petition to revise the Uniform Business Practices	To consider the RESA petition to allow rescission of a customer request to return to full utility service

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs
*PSC-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*PSC-19-10-00022-P	..... exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	..... exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service
*PSC-22-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York
*PSC-24-10-00009-P	..... exempt	Verizon New York Inc. tariff regulations relating to voice messaging service	To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff
*PSC-25-10-00012-P	..... exempt	Reassignment of the 2-1-1 abbreviated dialing code	Consideration of petition to reassign the 2-1-1 abbreviated dialing code
*PSC-27-10-00016-P	..... exempt	Petition for the submetering of electricity	To consider the request of 9271 Group, LLC to submeter electricity at 960 Busti Avenue, Buffalo, New York
*PSC-34-10-00003-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-34-10-00005-P	..... exempt	Approval of a contract for \$250,000 in tank repairs that may be a financing	To decide whether to approve a contract between the parties that may be a financing of \$250,000 for tank repairs

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-34-10-00006-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-36-10-00010-P	..... exempt	Central Hudson's procedures, terms and conditions for an economic development plan	Consideration of Central Hudson's procedures, terms and conditions for an economic development plan
*PSC-40-10-00014-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by National Grid
*PSC-40-10-00021-P	..... exempt	Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall	To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall
*PSC-41-10-00018-P	..... exempt	Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter	Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers
*PSC-41-10-00022-P	..... exempt	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY
*PSC-42-10-00011-P	..... exempt	Petition for the submetering of electricity	To consider the request of 4858 Group, LLC to submeter electricity at 456 Main Street, Buffalo, New York
*PSC-43-10-00016-P	..... exempt	Utility Access to Ducts, Conduit Facilities and Utility Poles	To review the complaint from Optical Communications Group
*PSC-44-10-00003-P	..... exempt	Third and fourth stage gas rate increase by Corning Natural Gas Corporation	To consider Corning Natural Gas Corporation's request for a third and fourth stage gas rate increase
*PSC-51-10-00018-P	..... exempt	Commission proceeding concerning three-phase electric service by all major electric utilities	Investigate the consistency of the tariff provisions for three-phase electric service for all major electric utilities
*PSC-11-11-00003-P	..... exempt	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service
*PSC-13-11-00005-P	..... exempt	Exclude the minimum monthly bill component from the earnings test calculation	Exclude the minimum monthly bill component from the earnings test calculation
*PSC-14-11-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of 83-30 118th Street to submeter electricity at 83-30 118th Street, Kew Gardens, New York
*PSC-19-11-00007-P	..... exempt	Utility price reporting requirements related to the Commission's "Power to Choose" website	Modify the Commission's utility electric commodity price reporting requirements related to the "Power to Choose" website
*PSC-20-11-00012-P	..... exempt	Petition for the submetering of electricity	To consider the request of KMW Group LLC to submeter electricity at 122 West Street, Brooklyn, New York
*PSC-20-11-00013-P	..... exempt	Determining the reasonableness of Niagara Mohawk Power Corporation d/b/a National Grid 's make ready charges	To determine if the make ready charges of Niagara Mohawk Power Corporation d/b/a National Grid are reasonable

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-22-11-00004-P	..... exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*PSC-26-11-00007-P	..... exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	..... exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order.	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing.
*PSC-35-11-00011-P	..... exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P	..... exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*PSC-40-11-00010-P	..... exempt	Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)	Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE
*PSC-40-11-00012-P	..... exempt	Granting of transfer of plant in-service to a regulatory asset	To approve transfer and recovery of unamortized plant investment
*PSC-42-11-00018-P	..... exempt	Availability of telecommunications services in New York State at just and reasonable rates	Providing funding support to help ensure availability of affordable telecommunications service throughout New York
*PSC-43-11-00012-P	..... exempt	Transfer of outstanding shares of stock	Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC
*PSC-47-11-00007-P	..... exempt	Remedying miscalculations of delivered gas as between two customer classes	Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations
*PSC-48-11-00007-P	..... exempt	Transfer of controlling interests in generation facilities from Dynegy to PSEG	Consideration of the transfer of controlling interests in electric generation facilities from Dynegy to PSEG
*PSC-48-11-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York
*PSC-01-12-00007-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-01-12-00008-P	..... exempt	Transfer of real property and easements from NMPNS to NMP3	Consideration of the transfer of real property and easements from NMPNS to NMP3
*PSC-01-12-00009-P	..... exempt	Recovery of expenses related to the expansion of Con Edison's ESCO referral program, PowerMove	To determine how and to what extent expenses related to the Expansion of Con Edison's ESCO referral program should be recovered
*PSC-11-12-00002-P	..... exempt	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff
*PSC-11-12-00005-P	..... exempt	Transfer of land and water supply assets	Transfer the land and associated water supply assets of Groman Shores, LLC to Robert Groman
*PSC-13-12-00005-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-19-12-00023-P	..... exempt	Petition for approval pursuant to Section 70 for the sale of goods with an original cost of less than \$100,000	To consider whether to grant, deny or modify, in whole or in part, the petition filed by Orange and Rockland Utilities, Inc.
*PSC-21-12-00006-P	..... exempt	Tariff filing requirements and refunds	To determine if certain agreements should be filed pursuant to the Public Service Law and if refunds are warranted
*PSC-21-12-00011-P	..... exempt	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47
*PSC-23-12-00007-P	..... exempt	The approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility	To consider the approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility
*PSC-23-12-00009-P	..... exempt	Over earnings sharing between rate payers and shareholders	To establish an Earnings Sharing Mechanism to be applied following the conclusion of Corning's rate plan
*PSC-27-12-00012-P	..... exempt	Implementation of recommendations made in a Management Audit Report	To consider implementation of recommendations made in a Management Audit Report
*PSC-28-12-00013-P	..... exempt	Exemption of reliability reporting statistics for the purpose of the 2012 Reliability Performance Mechanism	Consideration of Orange and Rockland Utilities request for exemption of the 2012 reliability reporting statistics
*PSC-29-12-00019-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Hamden to waive certain preliminary franchising procedures to expedite the franchising process.
*PSC-30-12-00010-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Andes to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-33-12-00009-P	..... exempt	Telecommunications companies ability to attach to utility company poles	Consideration of Tech Valley's ability to attach to Central Hudson poles
*PSC-37-12-00009-P	..... exempt	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-42-12-00009-P	..... exempt	Regulation of Gipsy Trail Club, Inc.'s long-term financing agreements	To exempt Gipsy Trail Club, Inc. from Commission regulation of its financing agreements
*PSC-45-12-00008-P	..... exempt	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff
*PSC-45-12-00010-P	..... exempt	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District
*PSC-50-12-00003-P	..... exempt	Affiliate standards for Corning Natural Gas Corporation	To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing
*PSC-04-13-00006-P	..... exempt	Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW	To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW
*PSC-04-13-00007-P	..... exempt	Authorization to transfer certain real property.	To decide whether to approve the transfer of certain real property.
*PSC-06-13-00008-P	..... exempt	Verizon New York Inc.'s retail service quality	To investigate Verizon New York Inc.'s retail service quality
*PSC-08-13-00012-P	..... exempt	Filing requirements for certain Article VII electric facilities	To ensure that applications for certain electric transmission facilities contain pertinent information
*PSC-08-13-00014-P	..... exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company to defer an item of expense or capital beyond the end of the year in which it was incurred
*PSC-12-13-00007-P	..... exempt	Protecting company water mains	To allow the company to require certain customers to make changes to the electrical grounding system at their homes
*PSC-13-13-00008-P	..... exempt	The potential waiver of 16 NYCRR 255.9221(d) completion of integrity assessments for certain gas transmission lines.	To determine whether a waiver of the timely completion of certain gas transmission line integrity assessments should be granted.
*PSC-18-13-00007-P	..... exempt	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes
*PSC-21-13-00003-P	..... exempt	To consider policies that may impact consumer acceptance and use of electric vehicles	To consider and further develop policies that may impact consumer acceptance and use of electric vehicles
*PSC-21-13-00005-P	..... exempt	To implement an abandonment of Windover's water system	To approve the implementation of abandonment of Windover's water system
*PSC-21-13-00008-P	..... exempt	Rates of National Fuel Gas Distribution Corporation	To make the rates of National Fuel Gas Distribution Corporation temporary, subject to refund, if they are found to be excessive
*PSC-21-13-00009-P	..... exempt	Reporting requirements for natural gas local distribution companies	To help ensure efficient and economic expansion of the natural gas system as appropriate

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-22-13-00009-P	..... exempt	On remand from New York State court litigation, determine the recovery of certain deferred amounts owed NFG by ratepayers	On remand, to determine the recovery of certain deferral amounts owed NFG from ratepayers
*PSC-23-13-00005-P	..... exempt	Waiver of partial payment, directory database distribution, service quality reporting, and service termination regulations	Equalize regulatory treatment based on level of competition and practical considerations
*PSC-25-13-00008-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.
*PSC-25-13-00009-P	..... exempt	Provision by utilities of natural gas main and service lines.	To help ensure efficient and economic expansion of the natural gas system as appropriate.
*PSC-25-13-00012-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.
*PSC-27-13-00014-P	..... exempt	Columbia Gas Transmission Corporation Cost Refund	For approval for temporary waiver of tariff provisions regarding its Columbia Gas Transmission Corporation cost refund.
*PSC-28-13-00014-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-28-13-00016-P	..... exempt	The request of NGT for lightened regulation as a gas corporation.	To consider whether to approve, reject, or modify the request of Niagara gas transport of Lockport, NY LLC.
*PSC-28-13-00017-P	..... exempt	The request by TE for waiver of regulations requiring that natural gas be odorized in certain gathering line segments	Consider the request by TE for waiver of regulations that gas be odorized in certain lines
*PSC-32-13-00009-P	..... exempt	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices
*PSC-32-13-00012-P	..... exempt	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion
*PSC-33-13-00027-P	..... exempt	Waive underground facility requirements for new construction in residential subdivisions to allow for overhead electric lines.	Determine whether Chapin Lumberland, LLC subdivision will be allowed overhead electric distribution and service lines.
*PSC-33-13-00029-P	..... exempt	Deferral of incremental costs associated with the restoration of steam service following Superstorm Sandy.	To consider a petition by Con Edison to defer certain incremental steam system restoration costs relating to Superstorm Sandy.
*PSC-34-13-00004-P	..... exempt	Escrow account and surcharge to fund extraordinary repairs	To approve the establishment of an escrow account and surcharge
*PSC-42-13-00013-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-42-13-00015-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-43-13-00015-P	..... exempt	Petition for submetering of electricity	To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-45-13-00021-P	..... exempt	Investigation into effect of bifurcation of gas and electric utility service on Long Island.	To consider a Petition for an investigation into effect of bifurcation of gas and electric utility service on Long Island.
*PSC-45-13-00022-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00023-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00024-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4); waiver of filing deadlines.	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00025-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-47-13-00009-P	..... exempt	Petition for submetering of electricity.	To consider the request of Hegeman Avenue Housing L.P. to submeter electricity at 39 Hegeman Avenue, Brooklyn, N.Y.
*PSC-47-13-00012-P	..... exempt	Conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.	Consideration of conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.
*PSC-49-13-00008-P	..... exempt	Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc.	To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc.
*PSC-51-13-00009-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00010-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00011-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-52-13-00012-P	..... exempt	The development of reliability contingency plan(s) to address the potential retirement of Indian Point Energy Center (IPEC).	To address the petition for rehearing and reconsideration/motion for clarification of the IPEC reliability contingency plan(s).
*PSC-52-13-00015-P	..... exempt	To enter into a loan agreement with the banks for up to an amount of \$94,000.	To consider allowing Knolls Water Company to enter into a long-term loan agreement.
*PSC-05-14-00010-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-07-14-00008-P	..... exempt	Petition for submetering of electricity	To consider the request of Greater Centennial Homes HDFC, Inc. to submeter electricity at 102, 103 and 106 W 5th Street, et al.
*PSC-07-14-00012-P	..... exempt	Water rates and charges	Implementation of Long-Term Water Supply Surcharge to recover costs associated with the Haverstraw Water Supply Project

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-08-14-00015-P	..... exempt	Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities	To improve Verizon New York Inc.'s service quality and the Customer Trouble Report Rate levels at certain central office entities
*PSC-10-14-00006-P	..... exempt	Actions to facilitate the availability of ESCO value-added offerings, ESCO eligibility and ESCO compliance	To facilitate ESCO value-added offerings and to make changes to ESCO eligibility and to ensure ESCO compliance
*PSC-11-14-00003-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-16-14-00014-P	..... exempt	Whether to order NYSEG to provide gas service to customers when an expanded CPCN is approved and impose PSL 25-a penalties.	To order gas service to customers in the Town of Plattsburgh after approval of a town wide CPCN and to impose penalties.
*PSC-16-14-00015-P	..... exempt	Whether Central Hudson should be permitted to defer obligations of the Order issued on October 18, 2013 in Case 13-G-0336.	Consideration of the petition by Central Hudson to defer reporting obligations of the October 18, 2013 Order in Case 13-G-0336
*PSC-17-14-00003-P	..... exempt	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism
*PSC-17-14-00004-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00007-P	..... exempt	To consider petitions for rehearing, reconsideration and/or clarification	To consider petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00008-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-19-14-00014-P	..... exempt	Market Supply Charge	To make tariff revisions to the Market Supply Charge for capacity related costs
*PSC-19-14-00015-P	..... exempt	Whether to permit the use of the Sensus accuWAVE for use in residential and commercial gas meter applications	To permit gas utilities in New York State to use the Sensus accuWAVE 415TC gas meter
*PSC-22-14-00013-P	..... exempt	Petition to transfer and merge systems, franchises and assets.	To consider the Comcast and Time Warner Cable merger and transfer of systems, franchises and assets.
*PSC-23-14-00010-P	..... exempt	Whether to permit the use of the GE Dresser Series B3-HPC 11M-1480 rotary gas met for use in industrial gas meter applications	To permit gas utilities in New York State to use the GE Dresser Series B3-HPC 11M-1480 rotary gas meter
*PSC-23-14-00014-P	..... exempt	Waiver of the negative revenue adjustment associated with KEDLI's 2013 Customer Satisfaction Performance Metric	Consideration of KEDLI's waiver request pertaining to its 2013 performance under its Customer Satisfaction Metric
*PSC-24-14-00005-P	..... exempt	To examine LDC's performance and performance measures.	To improve gas safety performance.
*PSC-26-14-00013-P	..... exempt	Waiver of RG&E's tariffed definition of emergency generator.	To consider waiver of RG&E's tariffed definition of emergency generator.
*PSC-26-14-00020-P	..... exempt	New electric utility backup service tariffs and standards for interconnection may be adopted.	To encourage development of microgrids that enhance the efficiency, safety, reliability and resiliency of the electric grid.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-26-14-00021-P	..... exempt	Consumer protections, standards and protocols pertaining to access to customer data may be established.	To balance the need for the information necessary to support a robust market with customer privacy concerns.
*PSC-28-14-00014-P	..... exempt	Petition to transfer systems, franchises and assets.	To consider the Comcast and Charter transfer of systems, franchise and assets.
*PSC-30-14-00023-P	..... exempt	Whether to permit the use of the Sensus iPERL Fire Flow Meter.	Pursuant to 16 NYCRR Part 500.3 , it is necessary to permit the use of the Sensus iPERL Fire Flow Meter.
*PSC-30-14-00026-P	..... exempt	Petition for a waiver to master meter electricity.	Considering the request of Renaissance Corporation of to master meter electricity at 100 Union Drive,Albany, NY.
*PSC-31-14-00004-P	..... exempt	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross
*PSC-32-14-00012-P	..... exempt	Whether to grant or deny, in whole or in part, the Connect New York Coalition's petition	To consider the Connect New York Coalition's petition seeking a formal investigation and hearings
*PSC-35-14-00004-P	..... exempt	Regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY	To consider regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY
*PSC-35-14-00005-P	..... exempt	Whether to permit the use of the Sensus iConA electric meter	Pursuant to 16 NYCRR Parts 92 and 93, Commission approval is necessary to permit the use of the Sensus iConA electric meter
*PSC-36-14-00009-P	..... exempt	Modification to the Commission's Electric Safety Standards.	To consider revisions to the Commission's Electric Safety Standards.
*PSC-38-14-00003-P	..... exempt	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.
*PSC-38-14-00004-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
*PSC-38-14-00005-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.
*PSC-38-14-00007-P	..... exempt	Whether to expand Con Edison's low income program to include Medicaid recipients.	Whether to expand Con Edison's low income program to include Medicaid recipients.
*PSC-38-14-00008-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
*PSC-38-14-00010-P	..... exempt	Inter-carrier telephone service quality standard and metrics and administrative changes.	To review recommendations from the Carrier Working Group and incorporate appropriate modifications to the existing Guidelines.
*PSC-38-14-00012-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-39-14-00020-P	..... exempt	Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters	Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters
*PSC-40-14-00008-P	..... exempt	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.
*PSC-40-14-00009-P	..... exempt	Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality.	Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1.
*PSC-40-14-00011-P	..... exempt	Late Payment Charge.	To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
*PSC-40-14-00013-P	..... exempt	Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.	To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.
*PSC-40-14-00014-P	..... exempt	Waiver of 16 NYCRR Sections 894.1 through 894.4(b)(2)	To allow the Town of Goshen, NY, to waive certain preliminary franchising procedures to expedite the franchising process.
*PSC-40-14-00015-P	..... exempt	Late Payment Charge.	To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
*PSC-42-14-00003-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-42-14-00004-P	..... exempt	Winter Bundled Sales Service Option	To modify SC-11 to remove language relating to fixed storage charges in the determination of the Winter Bundled Sales charge
*PSC-48-14-00014-P	..... exempt	Considering the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line.	To consider the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line.
*PSC-52-14-00019-P	..... exempt	Petition for a waiver to master meter electricity.	Considering the request of 614 South Crouse Avenue, LLC to master meter electricity at 614 South Crouse Avenue, Syracuse, NY..
*PSC-01-15-00014-P	..... exempt	State Universal Service Fund Disbursements	To consider Edwards Telephone Company's request for State Universal Service Fund disbursements
*PSC-08-15-00010-P	..... exempt	Request pertaining to the lawfulness of National Grid USA continuing its summary billing program.	To grant, deny, or modify URAC Rate Consultants' request that National Grid cease its summary billing program.
*PSC-10-15-00007-P	..... exempt	Notification concerning tax refunds	To consider Verizon New York Inc.'s partial rehearing or reconsideration request regarding retention of property tax refunds
*PSC-10-15-00008-P	..... exempt	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-13-15-00024-P	..... exempt	Whether Leatherstocking should be permitted to recover a shortfall in earnings	To decide whether to approve Leatherstocking's request to recover a shortfall in earnings
*PSC-13-15-00026-P	..... exempt	Whether to permit the use of the Sensus Smart Point Gas AMR/AMI product	To permit the use of the Sensus Smart Point Gas AMR/AMI product
*PSC-13-15-00027-P	..... exempt	Whether to permit the use of the Measurlogic DTS 310 electric submeter	To permit the use of the Measurlogic DTS 310 submeter
*PSC-13-15-00028-P	..... exempt	Whether to permit the use of the SATEC EM920 electric meter	To permit necessary to permit the use of the SATEC EM920 electric meter
*PSC-13-15-00029-P	..... exempt	Whether to permit the use the Triacta Power Technologies 6103, 6112, 6303, and 6312 electric submeters	To permit the use of the Triacta submeters
*PSC-17-15-00007-P	..... exempt	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million
*PSC-18-15-00005-P	..... exempt	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism
*PSC-19-15-00011-P	..... exempt	Gas Safety Performance Measures and associated negative revenue adjustments	To update the performance measures applicable to KeySpan Gas East Corporation d/b/a National Grid
*PSC-22-15-00015-P	..... exempt	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)
*PSC-23-15-00005-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-23-15-00006-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-25-15-00008-P	..... exempt	Notice of Intent to Submeter electricity.	To consider the request of 165 E 66 Residences, LLC to submeter electricity at 165 East 66th Street, New York, New York.
*PSC-29-15-00025-P	..... exempt	Joint Petition for authority to transfer real property located at 624 West 132nd Street, New York, NY	Whether to authorize the proposed transfer of real property located at 624 West 132nd Street, New York, NY
*PSC-32-15-00006-P	..... exempt	Development of a Community Solar Demonstration Project.	To approve the development of a Community Solar Demonstration Project.
*PSC-33-15-00009-P	..... exempt	Remote net metering of a demonstration community net metering program.	To consider approval of remote net metering of a demonstration community net metering program.
*PSC-33-15-00012-P	..... exempt	Remote net metering of a Community Solar Demonstration Project.	To consider approval of remote net metering of a Community Solar Demonstration Project.
*PSC-34-15-00021-P	..... exempt	Petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs	To consider the petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-35-15-00014-P	..... exempt	Consideration of consequences against Light Power & Gas, LLC for violations of the UBP	To consider consequences against Light Power & Gas, LLC for violations of the UBP
*PSC-37-15-00007-P	..... exempt	Submetered electricity	To consider the request of 89 Murray Street Ass. LLC, for clarification of the submetering order issued December 20, 2007
*PSC-40-15-00014-P	..... exempt	Whether to permit the use of the Open Way 3.5 with cellular communications	To consider the use of the Open Way 3.5 electric meter, pursuant to 16 NYCRR Parts 92 and 93
*PSC-42-15-00006-P	..... exempt	Deferral of incremental expenses associated with NERC's new Bulk Electric System (BES) compliance requirements approved by FERC.	Consideration of Central Hudson's request to defer incremental expenses associated with new BES compliance requirements.
*PSC-44-15-00028-P	..... exempt	Deferral of incremental expenses associated with new compliance requirements	Consideration of Central Hudson's request to defer incremental expenses associated with new compliance requirements
*PSC-47-15-00013-P	..... exempt	Whitepaper on Implementing Lightened Ratemaking Regulation.	Consider Whitepaper on Implementing Lightened Ratemaking Regulation.
*PSC-48-15-00011-P	..... exempt	Proposal to retire Huntley Units 67 and 68 on March 1, 2016.	Consider the proposed retirement of Huntley Units 67 and 68.
*PSC-50-15-00006-P	..... exempt	The reduction of rates.	To consider the reduction of rates charged by Independent Water Works, Inc.
*PSC-50-15-00009-P	..... exempt	Notice of Intent to submeter electricity.	To consider the request to submeter electricity at 31-33 Lincoln Road and 510 Flatbush Avenue, Brooklyn, New York.
*PSC-51-15-00010-P	..... exempt	Modification of the EDP	To consider modifying the EDP
*PSC-01-16-00005-P	..... exempt	Proposed amendment to Section 5, Attachment 1.A of the Uniform Business Practices	To consider amendment to Section 5, Attachment 1.A of the Uniform Business Practices
*PSC-04-16-00007-P	..... exempt	Whether Hamilton Municipal Utilities should be permitted to construct and operate a municipal gas distribution facility.	Consideration of the petition by Hamilton Municipal Utilities to construct and operate a municipal gas distribution facility.
*PSC-04-16-00012-P	..... exempt	Proposal to mothball three gas turbines located at the Astoria Gas Turbine Generating Station.	Consider the proposed mothball of three gas turbines located at the Astoria Gas Turbine Generating Station.
*PSC-04-16-00013-P	..... exempt	Proposal to find that three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic.	Consider whether three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic.
*PSC-06-16-00013-P	..... exempt	Continued deferral of approximately \$16,000,000 in site investigation and remediation costs.	To consider the continued deferral of approximately \$16,000,000 in site investigation and remediation costs.
*PSC-06-16-00014-P	..... exempt	MEGA's proposed demonstration CCA program.	To consider MEGA's proposed demonstration CCA program.
*PSC-14-16-00008-P	..... exempt	Resetting retail markets for ESCO mass market customers.	To ensure consumer protections with respect to residential and small non-residential ESCO customers.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-18-16-00013-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00014-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00015-P	..... exempt	Petitions for rehearing of the Order Resetting Retail Energy Markets and Establishing Further Process.	To ensure consumer protections for ESCO customers.
*PSC-18-16-00016-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00018-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-20-16-00008-P	..... exempt	Consideration of consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP).	To consider consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP).
*PSC-20-16-00010-P	..... exempt	Deferral and recovery of incremental expense.	To consider deferring costs of conducting leak survey and repairs for subsequent recovery.
*PSC-20-16-00011-P	..... exempt	Enetics LD-1120 Non-Intrusive Load Monitoring Device in the Statewide Residential Appliance Metering Study.	To consider the use of the Enetics LD-1120 Non-Intrusive Load Monitoring Device.
*PSC-24-16-00009-P	..... exempt	Petition to submeter gas service.	To consider the Petition of New York City Economic Development Corp. to submeter gas at Pier 17, 89 South Street, New York, NY.
*PSC-25-16-00009-P	..... exempt	To delay Companies' third-party assessments of customer personally identifiable information until 2018.	To extend the time period between the Companies' third-party assessments of customer personally identifiable information.
*PSC-25-16-00025-P	..... exempt	Acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel.	To consider acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel.
*PSC-25-16-00026-P	..... exempt	Use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter, in residential fire service applications.	To consider the use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter in fire service applications.
*PSC-28-16-00017-P	..... exempt	A petition for rehearing of the Order Adopting a Ratemaking and Utility Revenue Model Policy Framework.	To determine appropriate rules for and calculation of the distributed generation reliability credit.
*PSC-29-16-00024-P	..... exempt	Participation of NYPA customers in surcharge-funded clean energy programs.	To consider participation of NYPA customers in surcharge-funded clean energy programs.
*PSC-32-16-00012-P	..... exempt	Benefit-Cost Analysis Handbooks.	To evaluate proposed methodologies of benefit-cost evaluation.
*PSC-33-16-00001-EP	..... exempt	Use of escrow funds for repairs.	To authorize the use of escrow account funds for repairs.
*PSC-33-16-00005-P	..... exempt	Exemption from certain charges for delivery of electricity to its Niagara Falls, New York facility.	Application of System Benefits Charges, Renewable Portfolio Standard charges and Clean Energy Fund surcharges.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-35-16-00015-P	..... exempt	NYSRC's revisions to its rules and measurements	To consider revisions to various rules and measurements of the NYSRC
*PSC-36-16-00004-P	..... exempt	Recovery of costs for installation of electric service.	To consider the recovery of costs for installation of electric service.
*PSC-40-16-00025-P	..... exempt	Consequences pursuant to the Commission's Uniform Business Practices (UBP).	To consider whether to impose consequences on Smart One for its apparent non-compliance with Commission requirements.
*PSC-47-16-00009-P	..... exempt	Petition to use commercial electric meters	To consider the petition of Itron, Inc. to use the Itron CP2SO and CP2SOA in commercial electric meter applications
*PSC-47-16-00010-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00013-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00014-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00016-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-02-17-00010-P	..... exempt	Implementation of the four EAMs.	To consider the implementation of EAMs for RG&E.
*PSC-02-17-00012-P	..... exempt	Implementation of the four EAMs.	To consider the implementation of EAMs for NYSEG.
*PSC-18-17-00024-P	..... exempt	A petition for rehearing or reconsideration of the Order Addressing Public Policy Transmission Need for AC Transmission Upgrades	To determine whether Public Policy Transmission Need/Public Policy Requirements continue to exist.
*PSC-18-17-00026-P	..... exempt	Revisions to the Dynamic Load Management surcharge.	To consider revisions to the Dynamic Load Management surcharge.
*PSC-19-17-00004-P	..... exempt	NYAW's request to defer and amortize, for future rate recognition, pension settlement payout losses incurred in 2016.	Consideration of NYAW's petition to defer and amortize, for future rate recognition, pension payout losses incurred in 2016.
*PSC-20-17-00008-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles.	To consider a report filed by National Grid NY regarding the potential for adoption of compressed natural gas as a motor fuel.
*PSC-20-17-00010-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles.	To consider a report filed by National Grid regarding the potential for adoption of compressed natural gas as a motor fuel.
*PSC-21-17-00013-P	..... exempt	The establishment and implementation of Earnings Adjustment Mechanisms.	To consider the establishment and implementation of Earnings Adjustment Mechanisms.
*PSC-21-17-00018-P	..... exempt	Proposed agreement for the provision of water service by Saratoga Water Services, Inc.	To consider a waiver and approval of terms of a service agreement.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-22-17-00004-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the proposed Interconnection Survey Process and Earnings Adjustment Mechanisms
*PSC-24-17-00006-P	..... exempt	Development of the Utility Energy Registry.	Improved data access.
*PSC-26-17-00005-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent to submeter electricity at 125 Waverly Street, Yonkers, New York.
*PSC-34-17-00011-P	..... exempt	Waiver to permit Energy Cooperative of America to serve low-income customers	To consider the petition for a waiver
*PSC-37-17-00005-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives.	To consider the revised Interconnection Survey Process and Earnings Adjustment Mechanisms.
*PSC-39-17-00011-P	..... exempt	Whether to direct New York State Electric & Gas to complete electric facility upgrades at no charge to Hanehan.	To determine financial responsibility between NYSEG and Hanehan for the electric service upgrades to Hanehan.
*PSC-42-17-00010-P	..... exempt	Petition for rehearing of negative revenue adjustment and contents of annual Performance Report.	To consider NFGD's petition for rehearing.
*PSC-48-17-00015-P	..... exempt	Low Income customer options for affordable water bills.	To consider the Low Income Bill Discount and/or Energy Efficiency Rebate Programs.
*PSC-50-17-00017-P	..... exempt	New Wave Energy Corp.'s petition for rehearing.	To consider the petition for rehearing filed by New Wave Energy Corp.
*PSC-50-17-00018-P	..... exempt	Application of the Public Service Law to DER suppliers.	To determine the appropriate regulatory framework for DER suppliers.
*PSC-50-17-00019-P	..... exempt	Transfer of utility property.	To consider the transfer of utility property.
*PSC-50-17-00021-P	..... exempt	Disposition of tax refunds and other related matters.	To consider the disposition of tax refunds and other related matters.
*PSC-51-17-00011-P	..... exempt	Petition for recovery of certain costs related to the implementation of a Non-Wires Alternative Project.	To consider Con Edison's petition for the recovery of costs for implementing the JFK Project.
*PSC-04-18-00005-P	..... exempt	Notice of intent to submeter electricity.	To consider the notice of intent of Montante/Morgan Gates Circle LLC to submeter electricity.
*PSC-05-18-00004-P	..... exempt	Lexington Power's ZEC compliance obligation.	To promote and maintain renewable and zero-emission electric energy resources.
*PSC-06-18-00012-P	..... exempt	To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan	To modify grandfathering criteria
*PSC-06-18-00017-P	..... exempt	Merger of NYAW and Whitlock Farms Water Corp.	To consider the merger of NYAW and Whitlock Farms Water Company into a single corporate entity
*PSC-07-18-00015-P	..... exempt	The accuracy and reasonableness of National Grid's billing for certain interconnection upgrades.	To consider AEC's petition requesting resolution of their billing dispute with National Grid.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-11-18-00004-P	..... exempt	New York State Lifeline Program.	To consider TracFone's petition seeking approval to participate in Lifeline.
*PSC-13-18-00015-P	..... exempt	Eligibility of an ESCO to market to and enroll residential customers.	To consider whether Astral should be allowed to market to and enroll residential customers following a suspension.
*PSC-13-18-00023-P	..... exempt	Reconciliation of property taxes.	To consider NYAW's request to reconcile property taxes.
*PSC-14-18-00006-P	..... exempt	Petition for abandonment	To consider the abandonment of Willsboro Bay Water Company's water system
*PSC-17-18-00010-P	..... exempt	Petition for use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
*PSC-18-18-00009-P	..... exempt	Transfer of control of Keene Valley Video Inc.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest
*PSC-23-18-00006-P	..... exempt	Whether to impose consequences on Aspurity for its non-compliance with Commission requirements.	To ensure the provision of safe and adequate energy service at just and reasonable rates.
*PSC-24-18-00013-P	..... exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements.	To promote and maintain renewable and zero-emission electric energy resources.
*PSC-28-18-00011-P	..... exempt	Storm Hardening Collaborative Report.	To ensure safe and adequate gas service.
*PSC-29-18-00008-P	..... exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	..... exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00015-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and energy efficiency protections are in place.
*PSC-34-18-00016-P	..... exempt	Deferral of pre-staging and mobilization storm costs.	To ensure just and reasonable rates for ratepayers and utility recovery of unexpected, prudently incurred costs.
*PSC-35-18-00003-P	..... exempt	Con Edison's 2018 DSIP and BCA Handbook Update.	To continue Con Edison's transition to a modern utility serving as a Distributed System Platform Provider.
*PSC-35-18-00005-P	..... exempt	NYSEG and RG&E's 2018 DSIP and BCA Handbook Update.	To continue NYSEG and RG&E's transition to modern utilities acting as Distributed System Platform Providers.
*PSC-35-18-00006-P	..... exempt	National Grid's 2018 DSIP and BCA Handbook Update.	To continue National Grid's transition to a modern utility serving as a Distributed System Platform Provider.
*PSC-35-18-00008-P	..... exempt	Central Hudson's 2018 DSIP and BCA Handbook Update.	To continue Central Hudson's transition to a modern utility serving as a Distributed System Platform Provider.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-35-18-00010-P	..... exempt	O&R's 2018 DSIP and BCA Handbook Update.	To continue O&R's transition to a modern utility acting as a Distributed System Platform Provider.
*PSC-39-18-00005-P	..... exempt	Participation in New York State Lifeline Program.	To encourage enhanced services for low-income customers.
*PSC-40-18-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.	To review the gas utilities' reconciliation of Gas Expenses and Gas Cost Recoveries for 2018.
*PSC-42-18-00011-P	..... exempt	Voluntary residential beneficial electrification rate design.	To provide efficient rate design for beneficial technologies in New York State that is equitable for all residential customers.
*PSC-42-18-00013-P	..... exempt	Petition for clarification and rehearing of the Smart Solutions Program Order.	To address the increased demand for natural gas in the Con Edison's service territory and the limited pipeline capacity.
*PSC-44-18-00016-P	..... exempt	Petition for approval of gas metering equipment.	To ensure that customer bills are based on accurate measurements of gas usage.
*PSC-45-18-00005-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place
*PSC-47-18-00008-P	..... exempt	Proposed Public Policy Transmission Needs/ Public Policy Requirements, as defined under the NYISO tariff.	To identify any proposed Public Policy Transmission Needs/Public Policy Requirements for referral to the NYISO.
*PSC-01-19-00004-P	..... exempt	Advanced Metering Infrastructure.	To determine whether Niagara Mohawk Power Corporation d/b/a National Grid should implement advanced metering infrastructure.
*PSC-01-19-00013-P	..... exempt	Order of the Commission related to caller ID unblocking.	To require telephone companies to unblock caller ID on calls placed to the 311 municipal call center in Suffolk County.
*PSC-03-19-00002-P	..... exempt	DPS Staff White Paper for who must be trained in 16 NYCRR Part 753 requirements and how the Commission will approve trainings.	To reduce damage to underground utility facilities by requiring certain training and approving training curricula.
*PSC-04-19-00004-P	..... exempt	Con Edison's petition for the Gas Innovation Program and associated budget.	To pursue programs that continue service reliability and meet customer energy needs while aiding greenhouse gas reduction goals.
*PSC-04-19-00011-P	..... exempt	Update of revenue targets.	To ensure NYAW's rates are just and reasonable and accurately reflect the needed revenues.
*PSC-06-19-00005-P	..... exempt	Consideration of the Joint Utilities' proposed BDP Program.	To to expand opportunities for low-income households to participate in Community Distributed Generation (CDG) projects.
*PSC-07-19-00009-P	..... exempt	Whether to impose consequences on AAA for its non-compliance with Commission requirements.	To insure the provision of safe and adequate energy service at just and reasonable rates.
*PSC-07-19-00016-P	..... exempt	Participation in New York State Lifeline Program.	To encourage enhanced services for low-income customers.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-09-19-00010-P	..... exempt	Non-pipeline alternatives report recommendations.	To consider the terms and conditions applicable to gas service.
PSC-12-19-00004-P	..... exempt	To test innovative pricing proposals on an opt-out basis.	To provide pricing structures that deliver benefits to customers and promote beneficial electrification technologies.
PSC-13-19-00010-P	..... exempt	New Commission requirements for gas company operator qualification programs.	To make pipelines safer with improved training of workers who perform construction and repairs on natural gas facilities.
PSC-19-19-00013-P	..... exempt	Proposed merger of three water utilities into one corporation.	To determine if the proposed merger is in the public interest.
PSC-19-19-00014-P	..... exempt	Establishment of the regulatory regime applicable to an approximately 124 MW electric generating facility.	Consideration of a lightened regulatory regime for an approximately 124 MW electric generating facility.
PSC-19-19-00016-P	..... exempt	Establishment of the regulatory regime applicable to an approximately 242 MW electric generating facility.	Consideration of a lightened regulatory regime for an approximately 242 MW electric generating facility.
PSC-20-19-00008-P	..... exempt	Reporting on energy sources	To ensure accurate reporting and encourage clean energy purchases
PSC-20-19-00010-P	..... exempt	Compensation policies for certain CHP projects	To consider appropriate rules for compensation of certain CHP resources
PSC-20-19-00015-P	..... exempt	Establishment of the regulatory regime applicable to an approximately 105.8 MW electric generating facility	Consideration of a lightened regulatory regime for an approximately 105.8 MW electric generating facility
PSC-23-19-00005-P	..... exempt	Proposed major rate increase in SWNY's annual base revenues of approximately \$31.5 million (or 19.8% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-31-19-00011-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-31-19-00013-P	..... exempt	Implementation of Statewide Energy Benchmarking.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-31-19-00015-P	..... exempt	Proposed major rate increase in KEDNY's gas delivery revenues by \$236.8 million (13.6% increase in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-31-19-00016-P	..... exempt	Proposed major rate increase in KEDLI's gas delivery revenues of approximately \$49.4 million (or 4.1% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-32-19-00008-P	..... exempt	Compensation of distributed energy resources	To ensure just and reasonable rates, including compensation, for distributed energy resources
PSC-32-19-00010-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-32-19-00012-P	..... exempt	Standby Service Rates and Buyback Service Rates	To ensure just and reasonable rates, including compensation, for distributed energy resources

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-32-19-00013-P	..... exempt	Disposition of tax refunds received by New York American Water Company, Inc.	To determine the disposition of tax refunds and other related matters
PSC-34-19-00015-P	..... exempt	Major electric rate filing.	To consider a proposed increase in RG&E's electric delivery revenues of approximately \$31.7 million (or 4.1% in total revenues).
PSC-34-19-00016-P	..... exempt	Major gas rate filing.	To consider a proposed increase in RG&E's gas delivery revenues of approximately \$5.8 million (or 1.4% in total revenues).
PSC-34-19-00017-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-34-19-00018-P	..... exempt	Major electric rate filing.	To consider a proposed increase in NYSEG's electric delivery revenues of approximately \$156.7 million (10.4% in total revenues).
PSC-34-19-00020-P	..... exempt	Major gas rate filing.	To consider a proposed increase in NYSEG's gas delivery revenues of approximately \$6.3 million (or 1.4% in total revenues).
PSC-36-19-00009-P	..... exempt	Minor rate filing to increase annual electric revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-36-19-00011-P	..... exempt	Minor electric rate filing to increase annual electric revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-37-19-00004-P	..... exempt	Proposed transfer of Hopewell's assets to the Town and dissolution of the company.	To determine if transfer of the water system to the Town of East Fishkill is in the public interest.
PSC-38-19-00002-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-39-19-00018-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-39-19-00020-P	..... exempt	Initial Tariff Schedule, P.S.C. No. 1 - Water.	To ensure safe and adequate service at just and reasonable rates charged to customers without preferences.
PSC-41-19-00003-P	..... exempt	A voluntary residential three-part rate that would include fixed, usage and demand charges.	To provide qualifying residential customers with an optional three-part rate.
PSC-43-19-00014-P	..... exempt	Petition for the use of electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-43-19-00015-P	..... exempt	Modifications to the Gas Cost Factor and Daily Delivery Service Programs.	To consider a rehearing petition filed by Consolidated Edison Company of New York, Inc. and Orange and Rockland Utilities, Inc.
PSC-44-19-00003-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-44-19-00004-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-44-19-00005-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-44-19-00006-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-44-19-00007-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-44-19-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-44-19-00009-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-45-19-00011-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-45-19-00012-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-45-19-00013-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-46-19-00008-P	..... exempt	Wappingers Falls Hydroelectric LLC's facility located in Wappingers Falls, New York.	To promote and maintain renewable electric energy resources.
PSC-46-19-00010-P	..... exempt	To test innovative rate designs on an opt-out basis.	To implement alternative innovative rate designs intended to assess customer behaviors in response to price signals
PSC-47-19-00011-P	..... exempt	Waiver of National Grid's code of conduct to allow for use of its name.	To determine if it is in the public interest to allow for the use of National Grid's name in the weatherization program.
PSC-47-19-00013-P	..... exempt	Compensation of distributed energy resources.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-48-19-00005-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-48-19-00006-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-48-19-00007-P	..... exempt	Extension of the State Universal Service Fund.	To continue to provide universal service at a reasonable rate in certain service territories.
PSC-49-19-00004-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
PSC-49-19-00005-P	..... exempt	Sale of Street Lighting Facilities to the Town of Farmington.	To consider the transfer of street lighting facilities to the Town of Farmington.
PSC-50-19-00004-P	..... exempt	Petition to submeter electricity and waiver of energy audit.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-50-19-00005-P	..... exempt	Modifications and clarifications to the DCFC Per-Plug Incentive Program.	To clarify certain elements of the DCFC Per-Plug Incentive Program and consider modifications to the Program.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-50-19-00006-P	..... exempt	Compensation of and incentives for distributed energy resources.	To encourage the development of and ensure just and reasonable rates for distributed energy resources.
PSC-50-19-00007-P	..... exempt	Participation of customers served under P.S.C. No. 12 (PASNY) in CDG projects receiving Value Stack compensation.	To encourage the development of and ensure just and reasonable rates for distributed energy resources.
PSC-52-19-00001-P	..... exempt	SUEZ Water New York Inc.'s acquisition of 100% of Heritage Hills Water Works Corporation's assets.	To determine if the proposed acquisition is in the public interest.
PSC-52-19-00002-P	..... exempt	The New York State Reliability Council's establishment of an Installed Reserve Margin of 18.9%	To ensure adequate levels of Installed Capacity.
PSC-52-19-00003-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-52-19-00004-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-52-19-00005-P	..... exempt	Compensation of and rates for distributed energy resources.	To encourage the development of and ensure just and reasonable rates for distributed energy resources.
PSC-52-19-00006-P	..... exempt	Authorization to defer pension settlement losses.	To address the ratemaking related to the pension settlement losses.
PSC-53-19-00003-P	..... 12/30/20	Technical Amendments of State regulations and Administrative Corrections	To make the provision of natural gas service safer in New York State
PSC-53-19-00004-P	..... 12/30/20	Technical Amendments of State regulations and Administrative Corrections	To make the provision of natural gas service safer in New York State.
PSC-53-19-00006-P	..... exempt	To amend the terms to which the customer must abide when discontinuing gas service.	To ensure safe and adequate service at just and reasonable rates charged to customers without preferences.
PSC-53-19-00007-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-53-19-00008-P	..... exempt	Extension of time for issuance of securities and other forms of indebtedness.	To consider an additional twelve months for the issuance of securities and other forms of indebtedness.
PSC-53-19-00009-P	..... exempt	Transfer of street lighting facilities.	To consider whether the transfer of certain street lighting facilities is in the public interest.
PSC-53-19-00010-P	..... exempt	To clarify the term "customer" under Rule 28 - Special Services Performed by Company for Customer at a Charge.	To ensure safe and adequate service at just and reasonable rates charged to customers without preferences.
PSC-01-20-00007-P	..... exempt	Proposed tariff revisions and clarifications for the summer 2020 capability period.	To have more efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-01-20-00008-P	..... exempt	Request for waiver of 16 NYCRR § 96.5(k)(3).	To consider the request for waiver of the energy audit requirement requirement per 16 NYCRR 96.5(k)(3).

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-01-20-00009-P	..... exempt	Modifying RG&E's DLM dispatch threshold to improve the Commercial System Relief Program.	To have more efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-01-20-00010-P	..... exempt	Proposed transfer of water supply assets and dissolution of the Company.	To determine whether the transfer of water supply assets to the Town of North Collins is in the public interest.
PSC-02-20-00005-P	..... exempt	The 2020 Electric Emergency Response Plans for electric utilities subject to the provisions of PSL § 25-a	To consider the adequacy of the 2020 Electric Emergency Response Plans
PSC-02-20-00006-P	..... exempt	The application of the earnings sharing mechanism related to a partial year period.	To consider O&R's petition to modify the application of the earnings sharing mechanism.
PSC-03-20-00008-P	..... exempt	Authority to issue and sell unsecured debt obligations	To consider the Company's request for authority to issue and sell unsecured debt obligations
PSC-03-20-00009-P	..... exempt	Changes to the Utility Energy Registry	To determine appropriate rules for data availability
PSC-03-20-00010-P	..... exempt	Waivers of certain tariff provisions and terms of an agreement for the provision of service	Whether a proposed agreement for provision of service by Saratoga Water Services, Inc. is in the public interest
PSC-04-20-00010-P	..... exempt	Petition for waiver of the requirements of Opinion No. 76-17 and 16 NYCRR Part 96 regarding individual metering of living units.	To consider the petition of Comunilife Woodhull HDfC for waiver of Opinion No. 76-17 and 16 NYCRR Part 96.
PSC-04-20-00014-P	..... exempt	Transfer of the Indian Point site, nuclear waste, and decommissioning and site restoration funds from Entergy to Holtec.	To protect the public interest.
PSC-05-20-00003-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-05-20-00004-P	..... exempt	A statewide Make-Ready Program that that would provide incentives to deploy EVSE&I to charge light duty electric vehicles (EV).	To deploy the infrastructure needed to meet the State's goals of 850,000 EVs by 2025 and recommend appropriate utility roles.
PSC-05-20-00005-P	..... exempt	Wireline and wireless pole attachment rates.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-05-20-00006-P	..... exempt	Waiver of pipeline reassessment completion deadline while adequate tools to conduct inspection are found.	To ensure the safety of the Clove Lake Segment Pipeline with the use of adequate reassessment tools.
PSC-05-20-00007-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-06-20-00012-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-06-20-00013-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-06-20-00014-P	..... exempt	A program for the procurement of Renewable Energy Certificates from existing renewable resources.	To purchase Renewable Energy Certificates and maintain the State's baseline of existing renewable resources.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-06-20-00015-P	..... exempt	New Tariff Schedule, P.S.C. No. 3 - Water and waiver of rate setting authority.	To provide the rates, rules, and regulations under which water service will be provided to the customers of the system.
PSC-06-20-00016-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-06-20-00017-P	..... exempt	Petitions for rehearing, reconsideration, clarification and stay of the December 12, 2019 Order.	To determine whether the Commission should grant, deny, or modify the relief sought and actions proposed by Petitioners
PSC-07-20-00006-P	..... exempt	Discontinuation of a program administered by Con Edison and removal of the program from the tariff.	Consider discontinuation of the Smart AC Kit Program.
PSC-07-20-00007-P	..... exempt	Procurement of environmental attributes associated with offshore wind resources.	To achieve the State's renewable and clean energy goals.
PSC-07-20-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-07-20-00009-P	..... exempt	Transfer of street lighting facilities.	To consider whether the transfer of certain street lighting facilities is in the public interest.
PSC-07-20-00010-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-07-20-00011-P	..... exempt	Transfer of street lighting facilities.	To consider the transfer of street lighting facilities to the Town of Fallsburg.
PSC-08-20-00002-P	..... exempt	Transfer of stock resulting in a complete ownership transfer.	To determine whether the proposed transfer is in the public interest.
PSC-08-20-00003-P	..... exempt	PSC regulation 16 NYCRR § 86.3(a)(2) and 86.3(b)(2).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting.
PSC-08-20-00004-P	..... exempt	Waiver of provisions and service agreement.	To consider if the waiver and the proposed terms of a service agreement are in the public interest.
PSC-08-20-00005-P	..... exempt	The use funding for certain pipeline safety programs.	To ensure appropriate use of funds reserved for gas safety programs.
PSC-08-20-00006-P	..... exempt	To establish procedures and modify terminology for Underground Residential Distribution Systems.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-09-20-00002-P	..... exempt	Request for waiver of 16 NYCRR 96.5(k)(3).	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-09-20-00003-P	..... exempt	Proposed transfer of the Company's assets to the Town and dissolution of the Company.	To determine if transfer of the water system to the Town of North Greenbush is in the public interest.
PSC-09-20-00004-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-09-20-00005-P	..... exempt	Petition for the use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
PSC-09-20-00006-P	..... exempt	Petition for the use of an electric meter in submetering applications.	Whether to permit the use of the GG electric meter in submetering applications in New York State.
PSC-10-20-00003-P	..... exempt	The Commission's statewide low-income discount policy.	To consider modifications to certain conditions regarding utility low-income discount programs.
PSC-10-20-00004-P	..... exempt	Recovery of extraordinary repair expenses and establishment of an escrow account.	To consider if the proposed escrow account is in the public interest.
PSC-10-20-00005-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Family Energy, Inc. should be granted a waiver to offer two "green gas" products to mass market customers.
PSC-10-20-00006-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
STATE, DEPARTMENT OF			
DOS-42-19-00001-P	..... 10/15/20	Real estate advertisements	To update current regulations concerning real estate advertisements
DOS-02-20-00003-P	..... 01/14/21	Enhanced fair housing provisions	To provide additional notices and other enhancements relating to fair housing and the Human Rights Law
STATE UNIVERSITY OF NEW YORK			
SUN-50-19-00001-EP	..... 12/10/20	Tuition, Fees and Charges	To authorize the waiver of admission application fees for military veterans and their spouses
SUN-53-19-00002-P	..... 12/30/20	Proposed amendments to the traffic and parking regulations at State University of New York College at Old Westbury	Amend existing regulations to update traffic and parking regulations
SUN-53-19-00005-P	..... 12/30/20	Proposed amendments to the traffic and parking regulations at State University Agricultural and Technical College at Morrisville	Amend existing regulations to update traffic and parking regulations
SUN-01-20-00001-P	..... 01/07/21	Limitations on operating costs for purposes of State financial assistance.	To determine how state appropriated reimbursement for rental costs for physical space will be distributed to community colleges.
TAXATION AND FINANCE, DEPARTMENT OF			
TAF-02-20-00001-EP	..... 01/14/21	Property tax levy limits for school districts in relation to certain costs resulting from capital local expenditures	To implement Education Law 2023-a relating to certain costs resulting from capital local expenditures of school districts
TAF-07-20-00013-P	..... exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith.	To set the sales tax component and the composite rate per gallon for the period April 1, 2020 through June 30, 2020.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
TDA-14-19-00007-P	..... 04/02/20	Abandonment of requests for fair hearings	To require the issuance of letters to appellants who fail to appear at scheduled fair hearings involving Medical Assistance, also known as Medicaid, advising them how to request the rescheduling of such fair hearings
TDA-46-19-00006-P	..... 11/12/20	Limits on executive compensation	To remove requirements related to private funding from the \$199, 000 per annum limit on executive compensation and to make corresponding technical updates
TDA-49-19-00003-P	..... 12/03/20	Annual service fee on persons receiving child support services and minimum annual collection requirement to impose such fee	To amend the existing State regulatory provisions regarding the annual service fee imposed on persons who receive child support services
THRUWAY AUTHORITY, NEW YORK STATE			
THR-01-20-00003-P	..... 01/07/21	Toll rate adjustments on the New York State Thruway system.	To provide for toll rate adjustments necessary to support the Authority's financial obligations.
WORKERS' COMPENSATION BOARD			
WCB-31-19-00018-P	..... 07/30/20	Medical Treatment Guidelines	Add guidelines for treatment of hip and groin, foot and ankle, elbow and occupational interstitial lung disease
WCB-37-19-00002-P	..... 09/10/20	Applications for Reopenings	Clarify the process for reopening a case that has been previously closed

ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

REPLACE RELIEF WELLS Portville Flood Control Project Village of Portville, Cattaraugus County

Sealed bids for Project No. 45499-C, comprising a separate contract for Construction Work, Replace Relief Wells, Portville Flood Control Project, Village of Portville (Cattaraugus County) NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Environmental Conservation- Water Resources, until 2:00 p.m. on Wednesday, March 11th, 2020 when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a certified check, bank check, or bid bond in the amount of \$53,800 for C.

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$1,000,000 and \$2,000,000 for C.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting, on the OGS website, in a newspaper of general circulation, or in the Contract Reporter of written notice, advertisement or solicitation of offers through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are John Pupons, Jessica Hoffman and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewykyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four-year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

The substantial completion date for this project is 267 days after the Agreement is approved by the Comptroller.

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten

percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

X Project commenced design before January 1, 2020. Not subject to provision.

Project commenced design on or after January 1, 2020. Subject to provision.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on February 27, 2020 at 400-466 Portville-Ceres Road at levee access road near intersection of Anderson Road, Portville, NY. Prospective bidders are urged to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply and all vehicles will be subject to search.

Phone the office of Lauren Clausen (716-885-0908) a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit.

The Office of General Services reserves the right to reject any or all bids.

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Pursuant to State Finance Law § 143(1), effective January 11, 2020, the required deposit will be waived upon request by any Minority- and Women-Owned Business Enterprise certified pursuant to Article 15-A of the Executive Law or any Service-Disabled Veteran-Owned Business Enterprise certified pursuant to Article 17-B of the Executive Law. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.

For additional information on this project, please use the link below and then click on the project number: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By *John D. Lewykyj, Deputy Director*
OGS - Design & Construction Group

PROVIDE CONSTRUCTION/ELECTRICAL WORK Various Department of Transportation Facilities Hamilton County

Sealed bids for Project Nos. 46077-C and 46077-E, comprising separate contracts for Construction Work and Electrical Work, Various DOT Facilities (Hamilton County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of

Transportation, until 2:00 p.m. on Wednesday, March 18, 2020, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of \$66,500 for C and \$12,900 for E).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$1,000,000 and \$2,000,000 for C, and between \$100,000 and \$250,000 for E.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting, on the OGS website, in a newspaper of general circulation, or in the Contract Reporter of written notice, advertisement or solicitation of offers through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are John Pupons, Jessica Hoffman and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four-year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

X Project commenced design before January 1, 2020. Not subject to provision.

Project commenced design on or after January 1, 2020. Subject to provision.

As a condition of award, within 48 hours of receipt of the proposed Contract Agreement from the State, the apparent low bidder shall return the Contract Agreement to the State, properly executed, along with the Bonds if required by said Agreement. Low bidders who cannot meet these provisions may be subject to disqualification and forfeiture of the bid security.

The State intends to expedite award of this Contract and the Contractor shall be prepared to proceed with the Work accordingly. Bidders are warned that time is of the essence of the Contract and substantial completion of the Work must be completed by September 17, 2020. Due to the tightness of the construction schedule, bidders should consider the necessity for an increased work force and shift operations.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on March 5, 2020 at 1505 SR30, Wells, NY 12190. Prospective bidders are urged to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo

identification. Note that parking restrictions and security provisions will apply and all vehicles will be subject to search.

Phone the office of Patrick Szabo, (518) 639-4162 a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority- and Women-owned Business Enterprises ("MWBEs") and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 10% for MWBE participation, 5% for Minority-Owned Business Enterprises ("MBE") participation and 5% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for Construction Work and Electrical Work. The total contract goal can be obtained by utilizing any combination of MBE and /or WBE participation for subcontracting and supplies acquired under this Contract.

The Office of General Services reserves the right to reject any or all bids.

The Bidding and Contract Documents for this Project are available on compact disc (CD) only and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Pursuant to State Finance Law § 143(1), effective January 11, 2020, the required deposit will be waived upon request by any Minority- and Women-Owned Business Enterprise certified pursuant to Article 15-A of the Executive Law or any Service-Disabled Veteran-Owned Business Enterprise certified pursuant to Article 17-B of the Executive Law. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.

For additional information on this project, please use the link below and then click on the project number: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By *John D. Lewyckyj, Deputy Director*
OGS - Design & Construction Group

PROVIDE
SALT STORAGE BUILDINGS
Various Department of Transportation Facilities
Oswego County

Sealed bids for Project Nos. 46084-C and 46084-E, comprising separate contracts for Construction Work and Electrical Work, Provide Salt Storage Buildings - Maintenance Subheadquarters at Mexico, Mapleview & Fulton, Various DOT Facilities - Oswego County (Oswego County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY on behalf of the NYS Department of transportation, until 2:00 p.m. on Wednesday, March 18, 2020, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of \$65,600 for C, and \$13,800 for E).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$1,000,000 and \$2,000,000 for C, and between \$100,000 and \$250,000 for E.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is

restricted from making contacts from the earliest posting, on the OGS website, in a newspaper of general circulation, or in the Contract Reporter of written notice, advertisement or solicitation of offers through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are John Pupons, Jessica Hoffman and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four-year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

X Project commenced design before January 1, 2020. Not subject to provision.

Project commenced design on or after January 1, 2020. Subject to provision.

As a condition of award, within 48 hours of receipt of the proposed Contract Agreement from the State, the apparent low bidder shall return the Contract Agreement to the State, properly executed, along with the Bonds if required by said Agreement. Low bidders who cannot meet these provisions may be subject to disqualification and forfeiture of the bid security.

The State intends to expedite award of this Contract and the Contractor shall be prepared to proceed with the Work accordingly. Bidders are warned that time is of the essence of the Contract and substantial completion of the Work must be completed by 9/17/2020. Due to the tightness of the construction schedule, bidders should consider the necessity for an increased work force and shift operations.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 9:00 a.m. on March 6th, 2020 at the NYS DOT Site at 50 Rathburn Road, Fulton NY. Prospective bidders are urged to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply and all vehicles will be subject to search.

Phone the office of Kathy Pinckney, (315-253-8282) a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority- and Women-owned Business Enterprises ("MWBEs") and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 10% for MWBE participation, 5% for Minority-Owned Business Enterprises ("MBE") participation and 5%

for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for Construction Work and Electrical Work. The total contract goal can be obtained by utilizing any combination of MBE and/or WBE participation for subcontracting and supplies acquired under this Contract.

The Office of General Services reserves the right to reject any or all bids.

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Pursuant to State Finance Law § 143(1), effective January 11, 2020, the required deposit will be waived upon request by any Minority- and Women-Owned Business Enterprise certified pursuant to Article 15-A of the Executive Law or any Service-Disabled Veteran-Owned Business Enterprise certified pursuant to Article 17-B of the Executive Law. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.

For additional information on this project, please use the link below and then click on the project number: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By *John D. Lewyckyj*, Deputy Director
OGS - Design & Construction Group

PROVIDE

SALT STORAGE BUILDINGS

Department of Transportation Region 6
Friendship and Hornell, Allegany and Steuben Counties

Sealed bids for Project Nos. 46093-C and 46093-E comprising separate contracts for Construction Work, and Electrical Work, to Provide Salt Storage Buildings – Maintenance Headquarters at Hornell and Friendship, DOT Region 6, Steuben and Allegany Counties, Friendship and Hornell (Steuben and Allegany County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Transportation, until 2:00 p.m. on Wednesday, March 11th, 2020, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of \$43,300 for C, and \$3,700 for E).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond in the statutory form of public bonds required by Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$1,000,000 and \$2,000,000 for C and between \$50,000 and \$100,000 for E.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting, on the OGS website, in a newspaper of general circulation, or in the Contract Reporter of written notice, advertisement or solicitation of offers through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are John Pupons, Jessica Hoffman and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information

when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four-year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

X Project commenced design before January 1, 2020. Not subject to provision.

Project commenced design on or after January 1, 2020. Subject to provision.

As a condition of award, within 48 hours of receipt of the proposed Contract Agreement from the State, the apparent low bidder shall return the Contract Agreement to the State, properly executed, along with the Bonds if required by said Agreement. Low bidders who cannot meet these provisions may be subject to disqualification and forfeiture of the bid security.

The State intends to expedite award of this Contract and the Contractor shall be prepared to proceed with the Work accordingly. Bidders are warned that time is of the essence of the Contract and substantial completion of the Work must occur by September 17, 2020. Due to the tightness of the construction schedule, bidders should consider the necessity for an increased work force and shift operations.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on March 3, 2020 at Friendship DOT, 14 South Branch Road, Friendship, NY. Prospective bidders are urged to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply and all vehicles will be subject to search.

Phone the office of Lori Pautler, (585-591-0356) a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority- and Women-owned Business Enterprises ("MWBEs") and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 10% for MWBE participation, 5% for Minority-Owned Business Enterprises ("MBE") participation and 5% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for Construction Work. The total contract goal can be obtained by utilizing any combination of MBE and /or WBE participation for subcontracting and supplies acquired under this Contract.

The Office of General Services reserves the right to reject any or all bids.

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Pursuant to State Finance Law § 143(1), effective January 11, 2020, the required

deposit will be waived upon request by any Minority- and Women-Owned Business Enterprise certified pursuant to Article 15-A of the Executive Law or any Service-Disabled Veteran-Owned Business Enterprise certified pursuant to Article 17-B of the Executive Law. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.

For additional information on this project, please use the link below and then click on the project number: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By *John D. Lewyckyj*, Deputy Director
OGS - Design & Construction Group

PROVIDE
CLASSROOMS/OFFICE SPACE
Fishkill Correctional Facility
Beacon, Dutchess County

Sealed bids for Project Nos. 46131-C, 46131-E, 46131-H and 46131-P, comprising separate contracts for Construction Work, Electrical Work, HVAC Work, and Plumbing Work to Provide Classrooms & Office Space, Building 100, Restricted Housing Program, Fishkill Correctional Facility, 18 Stack Drive, Beacon (Dutchess County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Correctional Services, until 2:00 p.m. on Wednesday, March 11th, 2020 when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a certified check, bank check, or bid bond in the amount of \$91,900 for C, \$26,200 for E, \$36,500 for H, and \$28,800 for P.

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond in the statutory form of public bonds required by Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$3,000,000 and \$4,000,000 for C, between \$500,000 and \$1,000,000 for E, between \$500,000 and \$1,000,000 for H, and between \$500,000 and \$1,000,000 for P.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting, on the OGS website, in a newspaper of general circulation, or in the Contract Reporter of written notice, advertisement or solicitation of offers through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are John Pupons, Jessica Hoffman and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four-year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

X Project commenced design before January 1, 2020. Not subject to provision.

Project commenced design on or after January 1, 2020. Subject to provision.

As a condition of award, within 48 hours of receipt of the proposed Contract Agreement from the State, the apparent low bidder shall return the Contract Agreement to the State, properly executed, along with the Bonds if required by said Agreement. Low bidders who cannot meet these provisions may be subject to disqualification and forfeiture of the bid security.

The State intends to expedite award of this Contract and the Contractor shall be prepared to proceed with the Work accordingly. Bidders are warned that time is of the essence of the Contract and substantial completion of the Work must be within 444 days after the Agreement is approved by the Comptroller. Due to the tightness of the construction schedule, bidders should consider the necessity for an increased work force and shift operations.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 9:00 a.m. on March 3, 2020 at 17 Duck Pond Drive, Beacon, NY. Prospective bidders are urged to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply and all vehicles will be subject to search.

Phone the office of Lanti Osmani (845-765-7123) a minimum of 72 hours in advance of the date to provide the names of those who will attend the pre-bid site visit.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority- and Women-owned Business Enterprises (“MWBEs”) and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises (“MBE”) participation and 15% for Women-Owned Business Enterprises (“WBE”) participation (based on the current availability of qualified MBEs and WBEs) for Construction, HVAC and Plumbing Work and an overall goal of 4% for MWBE participation, 2% for Minority-Owned Business Enterprises (“MBE”) participation and 2% for Women-Owned Business Enterprises (“WBE”) participation (based on the current availability of qualified MBEs and WBEs) for Electrical Work. The total contract goal can be obtained by utilizing any combination of MBE and /or WBE participation for subcontracting and supplies acquired under this Contract.

The Office of General Services reserves the right to reject any or all bids.

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Pursuant to State Finance Law § 143(1), effective January 11, 2020, the required deposit will be waived upon request by any Minority- and Women-Owned Business Enterprise certified pursuant to Article 15-A of the Executive Law or any Service-Disabled Veteran-Owned Business Enterprise certified pursuant to Article 17-B of the Executive Law. Contractors and other interested parties can order CD’s on-line through a secure web interface available 24 hours a day, 7 days a week.

Please use the following link at the OGS website for ordering and payment instructions: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.

For additional information on this project, please use the link below and then click on the project number: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By *John D. Lewyckyj, Deputy Director*
OGS - Design & Construction Group

PROVIDE
UNHEATED AIRCRAFT HANGERS
Joint Forces Headquarters
Latham, Albany County

Sealed bids for Project Nos. 46170-C and 46170-E, comprising separate contracts for Construction Work, and Electrical Work, Provide Unheated Aircraft Hangers, Joint Forces Headquarters, 330 Old Niskayuna Rd, Latham (Albany County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Military and Naval Affairs, until 2:00 p.m. on Wednesday, March 18, 2020 when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of \$ 132,600 for C, and \$24,600 for E).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$5,000,000 and \$6,000,000 for C, and between \$500,000 and \$1,000,000 for E.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting, on the OGS website, in a newspaper of general circulation, or in the Contract Reporter of written notice, advertisement or solicitation of offers through final award and approval of the contract by OGS D&C and the Office of the State Comptroller (“Restricted Period”) to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are John Pupons, Jessica Hoffman and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four-year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and

reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

X Project commenced design before January 1, 2020. Not subject to provision.

Project commenced design on or after January 1, 2020. Subject to provision.

As a condition of award, within 48 hours of receipt of the proposed Contract Agreement from the State, the apparent low bidder shall return the Contract Agreement to the State, properly executed, along with the Bonds if required by said Agreement. Low bidders who cannot meet these provisions may be subject to disqualification and forfeiture of the bid security.

The State intends to expedite award of this Contract and the Contractor shall be prepared to proceed with the Work accordingly. Bidders are warned that time is of the essence of the Contract and substantial completion of the Work must occur by November 12th, 2020. Due to the tightness of the construction schedule, bidders should consider the necessity for an increased work force and shift operations.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 11:00 a.m. on March 5th, 2020 at Joint Forces Headquarters, 330 Old Niskayuna Road, Latham NY. Prospective bidders are urged to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply and all vehicles will be subject to search.

Phone the office of Greg Haze, (518-225-0822) a minimum of 24 hours in advance of the date to provide the names of those who will attend the pre-bid site visit.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority- and Women-owned Business Enterprises ("MWBEs") and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises ("MBE") participation and 15% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for Construction Work and establishes an overall goal of 20% for MWBE participation, 10% for Minority-Owned Business Enterprises ("MBE") participation and 10% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for Electrical Work. The total contract goal can be obtained by utilizing any combination of MBE and/or WBE participation for subcontracting and supplies acquired under this Contract.

The Office of General Services reserves the right to reject any or all bids.

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Pursuant to State Finance Law § 143(1), effective January 11, 2020, the required deposit will be waived upon request by any Minority- and Women-Owned Business Enterprise certified pursuant to Article 15-A of the Executive Law or any Service-Disabled Veteran-Owned Business Enterprise certified pursuant to Article 17-B of the Executive Law. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.

For additional information on this project, please use the link below and then click on the project number: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By *John D. Lewyckyj, Deputy Director*
OGS - Design & Construction Group

NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

Division of Homeland Security and Emergency Services

1220 Washington Ave.
State Office Bldg. Campus, Bldg. 7A
Albany, NY 12242

ELIGIBLE NON-PROFIT ORGANIZATIONS

Federal Fiscal Year 2020 Nonprofit Security Grant Program - Urban Area (NSGP-UA) and Nonprofit Security Grant Program - State (NSGP-S)

Description:

Request for Applications (RFA) for up to \$100,000 in federal NSGP-UA funding and up to \$100,000 in federal NSGP-S funding is being made available by the NYS Division of Homeland Security and Emergency Services (DHSES) from the U.S. Department of Homeland Security Federal Emergency Management Agency. There is a total of \$50 million nationally for the NSGP-UA program and \$40 million nationally, with NYS having a target allocation of \$1.2 million, for the NSGP-S program. Funds will be awarded competitively based on the submission of applications by eligible nonprofit organizations. If your nonprofit facility is physically located within a FY 2020 UASI-designated urban area, then you may apply to NSGP-UA; in NYS, organizations who are located in the NYC Urban Area which includes: the five boroughs in New York City, Nassau County, Suffolk County and Westchester County are eligible to apply under NSGP-UA. If your nonprofit facility is not physically located within the NYC urban area, then you may apply to NSGP-S. You may not apply to both programs.

Funding will be awarded to support target hardening activities to nonprofit organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code) that are at high risk of terrorist attack due to their ideology, beliefs, or mission. NSGP provides funding for physical security enhancements and other security-related activities to nonprofit organizations that are at high risk of a terrorist attack. The NSGP also seeks to integrate the preparedness activities of nonprofit organizations with broader state and local preparedness efforts.

Due to the competitive nature of this program, funding preference will be given to nonprofit organizations that have not received prior years funding under NSGP.

Applications will must be submitted by 5:00 p.m. on March 18, 2020, through New York State's Division of Homeland Security and Emergency Services (NYS-DHSES) electronic grants management system (E-Grants).

Division of Homeland Security and Emergency Services

1220 Washington Ave.
State Office Bldg. Campus, Bldg. 7A
Albany, NY 12242

NONPUBLIC NONPROFIT SCHOOLS AND NONPROFIT DAY CAMPS

State Fiscal Year 2019-20 Securing Communities Against Hate

Crimes for Nonpublic Schools and Day Camps (SCAHC – for Nonpublic Schools and Day Camps Program)

Description:

Governor Andrew M. Cuomo is committed to ensuring the safety and equal treatment of all New Yorkers and as such has continued support of the Securing Communities Against Hate Crimes Program. This program is designed to boost safety and security at New York's nonprofit organizations at risk of hate crimes or attacks because of their ideology, beliefs, or mission. In support of this effort, \$20 million in grant funding has been made available through this competitive grant program to eligible nonpublic nonprofit schools, and nonprofit day camps as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code which demonstrate a risk of a hate crime due to their ideology, beliefs or mission.

Applications will be accepted for up to \$50,000 per facility. Eligible organizations may submit up to five applications for a maximum total request of \$250,000.

Applications will be accepted until March 16, 2020 at 5:00 p.m. through the New York State Division of Homeland Security and Emergency Services' (DHSES) electronic grants management system (E-Grants).

The RFA and other required documents can be found at: <http://www.dhSES.ny.gov/grants/nonprofit/hate-crimes.cfm>

Division of Homeland Security and Emergency Services

1220 Washington Ave.
State Office Bldg. Campus, Bldg. 7A
Albany, NY 12242

NONPUBLIC NONPROFIT SCHOOLS, NONPROFIT DAY CARE CENTERS, NONPROFIT COMMUNITY CENTERS, NONPROFIT CULTURAL MUSEUMS AND NONPROFIT RESIDENTIAL CAMPS

State Fiscal Year 2019-2020 Securing Communities Against Hate Crimes Program (SCAHC Program)

Description:

Governor Andrew M. Cuomo is committed to ensuring the safety and equal treatment of all New Yorkers and as such has continued support of the Securing Communities Against Hate Crimes Program. This program is designed to boost safety and security at New York's nonprofit organizations at risk of hate crimes or attacks because of their ideology, beliefs, or mission. In support of this effort, \$25 million has been made available through this competitive grant program to eligible nonpublic nonprofit schools, nonprofit day care centers, nonprofit community centers, nonprofit cultural museums and nonprofit residential camps as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code which demonstrate a risk of a hate crime due to their ideology, beliefs or mission. Applications will be accepted for up to \$50,000 per facility. Eligible organizations may submit up to five applications for a maximum total request of \$250,000.

Applications will be accepted until March 16, 2020 at 5:00 p.m. through the New York State Division of Homeland Security and Emergency Services' (DHSES) electronic grants management system (E-Grants).

The RFA and other required documents can be found at: <http://www.dhSES.ny.gov/grants/nonprofit/hate-crimes.cfm>

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

Pursuant to provisions of the Abandoned Property Law and related laws, the Office of the State Comptroller receives unclaimed monies and other property deemed abandoned. A list of the names and last known addresses of the entitled owners of this abandoned property is maintained by the office in accordance with Section 1401 of the Abandoned Property Law. Interested parties may inquire if they appear on the Abandoned Property Listing by contacting the Office of Unclaimed Funds, Monday through Friday from 8:00 a.m. to 4:30 p.m., at:

1-800-221-9311
or visit our web site at:
www.osc.state.ny.us

Claims for abandoned property must be filed with the New York State Comptroller's Office of Unclaimed Funds as provided in Section 1406 of the Abandoned Property Law. For further information contact: Office of the State Comptroller, Office of Unclaimed Funds, 110 State St., Albany, NY 12236.

PUBLIC NOTICE Department of Health

The Department of Health proposes to amend the Nursing Home Transition and Diversion (NHTD) and Traumatic Brain Injury (TBI) 1915(c) Waiver Programs to comply with 42 CFR 441.301(c)(1)(vi). The following changes are proposed:

Waiver Services

No later than January 1, 2021, New York State must comply with the Federal Conflict of Interest requirements of federal rule at: 42 CFR 441.301(c)(1)(vi) for waiver services provided under the NHTD and TBI Home and Community Based Services 1915c Waivers.

To ensure compliance with the Conflict of Interest Rule, the New York State Department of Health (NYSDOH) has engaged stakeholders in determining a path for compliance, including planning meetings held on January 11, 2019, March 6, 2019, May 14, 2019, August 8, 2019, and November 4, 2019. The result of those meetings was the identification of the following four models which are compliant with the Federal Conflict of Interest Rule for the delivery of services under the NHTD and TBI waivers:

- Providers may choose to provide Service Coordination (SC) only;
- Providers may choose to provide SC and exempt waiver services including: Assistive Technology (AT), Environmental/Vehicle Modifications, Community Transitional Services (CTS), Moving Assistance, Congregate Meals only;
- Providers may choose to provide all waiver services except for SC; or
- Providers may choose to continue provision of all waiver services (including SC) but cannot provide both SC and another direct waiver service to the same participant.

Waiver providers must choose one of four models of Conflict of Interest-compliant service delivery and be operating under their designated compliant model on or before January 1, 2021.

NYSDOH will submit amendments to the NHTD and TBI waivers for approval by the Centers for Medicare and Medicaid Services

(CMS) which will include language defining the state's Conflict of Interest plan as well as amendments to the qualifications for certain provider staff including Service Coordinators. NYSDOH anticipates these amendments will help maintain and expand the capacity of experienced qualified providers and facilitate transition to new employers should they seek new employment.

There is no additional estimated annual change to gross Medicaid expenditures as a result of this proposed amendment.

The public is invited to review and comment on this initiative. Additional information may be found at: https://www.health.ny.gov/health_care/medicaid/redesign/mrt90/policy_docs.htm

Comments may be filed electronically at: waivertransition@health.ny.gov, *or mailed to:* Department of Health, Office of Health Insurance Programs, Division of Long Term Care, Bureau of Community Integration and Alzheimer's Disease, One Commerce Plaza, Suite 1605, Albany, NY 12210. All comments must be postmarked or emailed on or before April 10, 2020. Include COI Compliance in the subject line and indicate your name and affiliation.

Individuals without internet access may contact the Waiver Unit at: (518) 474-5271 to receive additional information.

PUBLIC NOTICE Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services to comply with Social Services Law 365-a(2)(s) and section 4107 of the Affordable Care Act. The following changes are proposed:

Non-Institutional Services

Effective on and after April 1, 2020, this proposes to amend the State Plan to remove limits on face-to-face tobacco cessation counseling services. All Medicaid recipients, including pregnant women, receiving tobacco cessation counseling services can receive these services based on medical necessity and without limitation.

There is no additional estimated annual change to gross Medicaid expenditures as a result of the proposed amendments.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/state_plans/status. Individuals without Internet access may view the State Plan Amendments at any local (county) social services district.

For the New York City district, copies will be available at the following places:

New York County
250 Church Street
New York, New York 10018

Queens County, Queens Center
3220 Northern Boulevard
Long Island City, New York 11101

Kings County, Fulton Center

114 Willoughby Street
Brooklyn, New York 11201

Bronx County, Tremont Center
1916 Monterey Avenue
Bronx, New York 10457

Richmond County, Richmond Center
95 Central Avenue, St. George
Staten Island, New York 10301

For further information and to review and comment, please contact:
Department of Health, Division of Finance and Rate Setting, 99
Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY
12210, spa_inquiries@health.ny.gov

PUBLIC NOTICE

Department of State
Notice of Review of Request for
Brownfield Opportunity Area
Conformance Determination
Project: Former ANSCO Camera Factory
Location: Endicott Johnson Industrial Spine
Brownfield Opportunity Area
City of Binghamton, Broome County

In accordance with General Municipal Law, Article 18 - C, Section 970-r, the Secretary of State designated the Endicott Johnson Industrial Spine Brownfield Opportunity Area, in the City of Binghamton, on December 3, 2015. The designation of the Endicott Johnson Industrial Spine Brownfield Opportunity Area was supported by a Nomination or a comprehensive planning tool that identifies strategies to revitalize the area which is affected by one or more known or suspected brownfield sites.

Pursuant to New York State Tax Law, Article 1, Section 21, the eligible taxpayer(s) of a project site located in a designated Brownfield Opportunity Area may apply for an increase in the allowable tangible property tax credit component of the brownfield redevelopment tax credit if the Secretary of State determines that the project conforms to the goals and priorities established in the Nomination for a designated Brownfield Opportunity Area.

On January 15th, 2020, Freewheelin ANSCO, LLC submitted a request for the Secretary of State to determine whether the Former ANSCO Camera Factory mixed-use development, which will be located within the designated Endicott Johnson Industrial Spine Brownfield Opportunity Area, conforms to the goals and priorities identified in the Nomination that was prepared for the designated Endicott Johnson Industrial Spine Corridor Brownfield Opportunity Area.

The public is permitted and encouraged to review and provide comments on the request for conformance. For this purpose, the full application for a conformance determination is available online at: https://www.dos.ny.gov/opd/programs/pdfs/BOA/BOA_Conformance_App_ANSCO.pdf

Comments must be submitted no later than April 10, 2020, either by mail to: Julie Sweet, Department of State, Office of Planning and Development, 44 Hawley St., Rm. 1507, Binghamton, NY, 13901 or by email to: julie.sweet@dos.ny.gov

PUBLIC NOTICE

Department of State
F-2019-1073
Date of Issuance – March 11, 2020

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act (CZMA) of 1972, as amended.

The applicant has certified that the proposed activities comply with and will be conducted in a manner consistent with the federally approved New York State Coastal Management Program (NYSCMP). The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2019-1073, Michael and Candace Conway are proposing to install an 8' wide, 4' tall, 100' long break wall revetment consisting of 1-2-ton rocks across their property's shoreline and installing an 8' x 24' fixed dock with a 6' x 32' floating dock. This project is located at 9459 Ingersoll Drive, in the Town of Wolcott, Wayne County, on Blind Sodus Bay.

The applicant's consistency certification and supporting information are available for review at: <http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2019-1073.pdf>

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice or March 26, 2020.

Comments should be addressed to: Department of State, Office of Planning and Development and Community Infrastructure, Consistency Review Unit, One Commerce Plaza, Suite 1010, 99 Washington Ave., Albany, NY 12231, (518) 474-6000. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State
F-2019-1290
Date of Issuance – March 11, 2020

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program.

In F-2019-1290 or the "Annandale Micro Hydro Project", the applicant Bard College, is proposing to install a 12-kW micro hydro facility at an existing dam and the rehabilitation of that dam. Activities include among others the dredging of sediment behind the upstream face of the dam to allow the repair and alteration of the Annandale Dam as well as the installation of the hydropower intake structure. The authorized work is located at 1248 River Road, Town of Red Hook, Dutchess County, Saw Kill Creek.

The applicant's consistency certification and supporting information are available for review at: http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2019-1290_Annandale_MicroHydro_App.pdf

Original copies of public information and data submitted by the applicant are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or, April 10, 2020.

Comments should be addressed to: Consistency Review Unit, Department of State, Office of Planning, Development and Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICEDepartment of State
Uniform Code Variance / Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2020-0077 Matter of Natale V Barranco, Urbahn Architects PLLC, 306 West 37 Street, 9th Floor, New York, NY 10018 for a variance concerning landing requirements. Involved is an existing light rail train station. The building is known as the Deer Park Station and is located at Pineaire Drive and Long Island Avenue, Town of Babylon, County of Suffolk, State of New York.

2020-0078 Matter of Natale V Barranco, Urbahn Architects PLLC, 306 West 37 Street, 9th Floor, New York, NY 10018 for a variance concerning landing requirements. Involved is an existing light rail train station. The building is known as the Brentwood Station and is located at Brentwood Road and Suffolk Avenue, Town of Islip, County of Suffolk, State of New York.

2020-0022 Matter of Scott Tirone, 75 Albertson Avenue, Albertson, NY 11507, for a variance concerning plumbing requirements, including the number of toilet room facilities. Involved is a warehouse building located at 1998 Hillside Avenue, Town of North Hempstead, County of Nassau, State of New York.

2020-0023 Matter of Scott Tirone, 75 Albertson Avenue, Albertson, NY 11507, for a variance concerning fire safety requirements, including ceiling heights. Involved is an existing dwelling located at Seven Bayside Drive, Town of North Hempstead, County of Nassau, State of New York.

2020-0024 Matter of Phillip A Yim, Eight Martha Terrace, Floral Park, NY 11001 for a variance concerning fire safety requirements, including emergency paths of egress. Involved is an existing dwelling located at Eight Martha Terrace, Incorporated Village of Floral Park, County of Nassau, State of New York.

2020-0030 Matter of Joseph Palmeri, 108 Riverside Drive, Rockville Centre, NY 11570 for a variance concerning fire safety requirements, including fire separation distances. Involved is an existing garage located at 108 Riverside Drive, Incorporated Village of Rockville Centre, County of Nassau, State of New York.

2020-0035 Matter of Norman Glavas, R.A., 162 Boulder Road, Manhasset, NY 11030, for a variance concerning plumbing requirements, including placement of toilet room fixtures. Involved is an existing dwelling located at 334 Rushmore Avenue, Town of North Hempstead, County of Nassau, State of New York.

PUBLIC NOTICEDepartment of State
Uniform Code Variance / Appeal Petitions

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2020-0093 Matter of Woodhull Expediting, Amy M. Devito, 332 Woodhull Avenue, Port Jefferson Station, NY 11776, for a variance concerning safety requirements, including heights under a girder/soffit. Involved is an existing one family dwelling located at 48 Lynda Drive, Town of Brookhaven, NY 11779 County of Suffolk, State of New York.

2020-0101 Matter of Nassau Expeditors Inc., Scott Tirone, 75 Albertson Avenue, Albertson, NY 11507, for a variance concerning safety requirements, including heights under a girder/soffit. Involved is an existing one family dwelling located at 130 Claudy Lane, Town of North Hempstead, NY 11040 County of Nassau, State of New York.

2020-0109 Matter of Patricia Schachter, 863 Wellington Road, Westbury, NY 11590, for a variance concerning safety requirements, including the ceiling height and height under a girder/soffit. Involved is an existing one family dwelling located at 64 Parsons Drive, Village of Hempstead, NY 11550 County of Nassau, State of New York.

2020-0110 Matter of Patricia Schachter, 863 Wellington Road, Westbury, NY 11590, for a variance concerning safety requirements, including the ceiling height. Involved is an existing one family dwelling located at 888 Mathilda Place, Town of Hempstead, NY 11553 County of Nassau, State of New York.

PUBLIC NOTICEDepartment of State
Uniform Code Variance / Appeal Petitions

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2020-0108 In the matter of Whitlock Partners, LLC, Ryan Goodfellow, 129-133 Walton Street, Syracuse, NY 14850, concerning building code and fire safety requirements including a variance for openings in exterior walls, stair to lofts, exit stair and discharge, elevator accessibility, emergency rescue openings, and minimum area of living rooms.

Involved is the conversion and alterations to a mixed residential occupancy, assembly, business and mercantile occupancies, located at 476-480 South Salina Street, City of Syracuse, County of Onondaga, New York.

PUBLIC NOTICEDepartment of State
Uniform Code Variance / Appeal Petitions

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2020-0111 In the matter of King and King Architects, Erika Civitella, 358 West Jefferson Street, Syracuse, NY 13202 for Fayetteville-Manlius Central School District, for a variance concerning building code and fire safety requirements including requirements to exceed the allowable time limit for a temporary structure and to allow temporary foundations that do not extend below the frost line.

Involved is the installation of a modular building for temporary classroom use during construction and alterations in the existing adjacent building, known as "Wellwood Middle School" located at 700 South Manlius Street, Village of Fayetteville, County of Onondaga, New York.

PUBLIC NOTICEDepartment of State
Uniform Code Variance / Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless other-

wise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2020-0112 In the matter of Kenneth Bangerter, 120 Columbia Street, Ithaca, NY 14850, concerning safety requirements including a variance for reduction in required height of existing interior handrails and guardrails.

Involved is the certificate of compliance inspection of an existing residential occupancy, two stories in height, located at 122 Columbia Street, City of Ithaca, County of Tompkins, New York.

PUBLIC NOTICE

Wayne County

Wayne County is requesting proposals from qualified administrative services agencies, and/or financial organizations relating to administration, trustee services and/or funding of a deferred compensation plan for employees of Wayne County meeting the requirements of Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law, including all rules and regulations issued pursuant thereto.

A copy of the proposal questionnaire may be obtained from: Wayne County Human Resources Department: Chris Kalinski, ckalinski@co.wayne.ny.us

All proposals must be submitted by 4:00 p.m. on April 13, 2020.

EXECUTIVE ORDERS

Executive Order No. 198.3: Continuing the Declaration of Disaster Emergency in the Counties of Cayuga, Jefferson, Monroe, Niagara, Orleans, Oswego, St. Lawrence, and Wayne.

WHEREAS, pursuant to Executive Order 198, 198.1 and 198.2, a disaster has heretofore been declared within the counties of Cayuga, Jefferson, Monroe, Niagara, Orleans, Oswego, St. Lawrence, and Wayne due to extensive flooding, widespread erosion, and water damage that caused significant damage to homes and other residential structures, businesses, and public infrastructure;

WHEREAS, historic high water levels in Lake Ontario and the St. Lawrence River continue to be of concern as a cause of flooding, widespread erosion, and water damage, which continues to jeopardize infrastructure, coastline structures, natural barriers, and navigation; and

WHEREAS, the Resiliency and Economic Development Initiative Commission has identified high-priority projects that are urgently needed to protect homes, businesses, and critical infrastructure; to sustainably maintain safe navigation channels; and to address the immediate and long-term resiliency of communities along Lake Ontario and the St. Lawrence River.

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, do hereby extend the state disaster emergency declared pursuant to Executive Order No. 198 and all of its terms, conditions, directives, and temporary suspension of identified provisions from the date that such disaster emergency was declared pursuant to Executive Order No. 198, 198.1 and 198.2 until March 17, 2020.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this sixteenth day of February in the year two thousand twenty.

BY THE GOVERNOR
/S/ Andrew M. Cuomo
/s/ Melissa DeRosa
Secretary to the Governor

Executive Order No. 201: Naming the State University of New York Plaza the H. Carl McCall SUNY Building.

WHEREAS, the importance of public service and public duty, are at the heart of the qualities we cherish in all citizens of the State of New York, and are at the heart of the definition of what we expect from a civically virtuous citizen;

WHEREAS, H. Carl McCall has had a career unmatched in its unwavering dedication to the people of this State for over fifty years, including his terms as a State Senator, his service as an Ambassador to the United Nations, his work as a Commissioner of the Port Authority of New York and New Jersey, his time as the New York State Commissioner of Human Rights, his service as the New York State Comptroller, and his consistent dedication to the education of our State's youth, both as the President of the New York City Board of Education and as the Chairman of the Trustees of the State University of New York;

WHEREAS, H. Carl McCall has consistently been a passionate

advocate dedicated to the importance of diversity, and broke barriers himself as the first African-American elected to statewide office in the State of New York; and

WHEREAS, H. Carl McCall's lengthy and illustrious career in public service has changed the course of history in this State, particularly his dedication and commitment to our great State University system, where as Chairman of the Trustees he was instrumental in overseeing a comprehensive expansion of the SUNY's academic performance and accomplishment, the burnishing of the SUNY's national and international stature, and strengthened SUNY's faculty, staff, and student bodies by increasing their diversity, and making SUNY an engine for social mobility.

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, do hereby proclaim and direct that the State University of New York Plaza, located in the City of Albany, County of Albany, shall hereafter be known as the H. Carl McCall SUNY Building.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this fourteenth day of February in the year two thousand twenty.

BY THE GOVERNOR
/S/ Andrew M. Cuomo
/s/ Melissa DeRosa
Secretary to the Governor

